



AGENDA
Committee on Public Safety
Wednesday, August 16, 2017 @ 3:30 p.m.
Council Conference Room, 10th Floor

Councilmember Adam Hussain, Chair
Councilmember Carol Wood, Vice Chair
Councilmember Tina Houghton, Member

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - July 26, 2017
4. **Public Comment on Agenda Items**
5. **Discussion/Action:**
 - A.) RESOLUTION - Make Safe or Demolish; 1025 Orchard Street
 - B.) RESOLUTION - Make Safe or Demolish; 214 Lathrop Street
 - C.) DISCUSSION – Code Compliance Timelines and Enforcement
 - D.) DISCUSSION – Medical Marihuana Moratorium
6. **Other**
7. **Adjourn**



MINUTES
Committee on Public Safety
Wednesday, July 26, 2017 @ 3:30 p.m.
City Hall, Council Conference Room

CALL TO ORDER

The meeting called to order at 3:30 p.m.

ROLL CALL

Councilmember Adam Hussain, Chair

Councilmember Carol Wood, Vice Chair

Councilmember Tina Houghton, Member- arrived at 3:31 p.m. and left at 4:47 p.m.

OTHERS PRESENT

Sherrie Boak, Council Staff

LPD Chief Yankowski

Jim Smiertka, City Attorney

Brandon Waddell, Assistant City Attorney

Scott Sanford, Code Compliance

Mitch Whisler, Public Service

Kathy Miles

Bruce Augenstern

Marcia Mettert

Mary Ellen Purificato

MINUTES

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE MINUTES FROM JULY 5, 2017 AS PRESENTED. MOTION CARRIED 2-0.

PUBLIC COMMENT

Public comment will be taken at each agenda item.

Other

Discussion on Carbon Monoxide with police vehicles

Council Member Wood stated her reason for asking the Chief to attend the meeting, which was to speak to what has occurred recently nationally with police vehicles and carbon monoxide poisoning. Chief Yankowski confirmed the recent issues in Austin, Texas, and confirmed that the City of Lansing was proactive and began placing detectors in all their vehicles back in April. As of July 24th, all 36 City of Lansing LPD Ford Explorers have detectors. The LPD has also purchased a surplus of detectors for the future. A photo was distributed by Chief Yankowski of the detector in the vehicles. As of this date there have been no incidents.

Presentation

Moore's River Drive Traffic

Council Member Hussain referenced a letter sent to Public Service from the Moore's River Drive Association on speed limits and signage. It was also noted the Association installed a fence after the City completed the pathway project. The Association claims that since that construction the fence has been hit 3 times in addition to light poles have been hit also, which they believe has to do with the reduction in lanes and speed limit changes.

Ms. Mettert, as Association Secretary, stating they believe the incidents were due to traffic speeds.

Mr. Augenstern, as Association President, voiced concerns on the traffic through the double marked street, a speed limit sign that is blocked by a tree, and stated his belief that the issue also stems with the design and layout of the street. Lastly he asked for the speed limit to be lowered to 30 mph.

Council Member Hussain clarified with Ms. Mettert and Mr. Augenstern that they are looking for a lower speed limit to 30 mph and a sign on the steep curve.

Mr. Whisler confirmed that based on the letter, the department did look into the traffic count. In 2002 there were traffic counts and the volume was 8,000 a week, noting that 85% of the people traveled at or below the 46 mph. In the Fall of 2015 and 2016 a study was done after the reduction in lanes and the 85% dropped to 41 mph and 6,000 vehicles in a week. The project changed the curve and acceleration steep, widened the road 1' on one side for 11' travel lanes. Mr. Whisler then distributed a copy of the Michigan Vehicle Code Act 300 of 1949 which states restrictions that must be met for speed limitations so that the City can receive the State funding for the road. Based on the number of driveways in a certain distance; if the area is platted; if it is business district, and after review it appears there are 8 driveways in the area, therefore it could exceed 45 mph, 85% would be 40 mph. Mr. Whisler stated that if a study would be done their recommendation would be 40 mph.

Council Member Wood asked if they considered the number of people that use the 8 driveways. Mr. Whisler again confirmed they follow State requirement to in order to receive State transportation dollars. The department would be willing to review the curve in the road and install a sign, and also look into installing a speed limit sign heading East. Council Member Hussain also asked them to trim the branches at the West bound speed limit sign. Mr. Whisler confirmed those tasks, however reiterated they could not do anything that would violate Act 300.

Council Member Houghton asked the Association if there was an increase in incidents between 2000-2015, and Ms. Mettert was not able to provide any information. Mr. Whisler offered to research it but also noted that many accidents are not reported.

Council Member Wood asked if they could install a break-away wall. Mr. Whisler noted a guard rail would cost money, but would not recommend anything different until they can do more research. Currently right now there is a grass buffer and slight berm where the trees are.

Council Member Houghton suggested revisiting the question of a new speed limit in a year since they will be installing new a speed limit sign going East, trimming the trees at the sign going west and also signing the curve.

Council Member Wood referred to Act 300 and asked if the area could be considered a park, however Mr. Whisler confirmed it is a river trail not a park so it would not qualify for the 25 MPH speed limit.

Council Member Wood stated she would reach out to traffic patrol to watch for more enforcement in the area of the double line.

(See communication at the end of the minutes by Mr. Whisler clarifying comments on the traffic counts)

Discussion/Action

ORDINANCE - Amendments to Ordinance Chapter 1422 – Signs; Section 1442.15 Window Signs

Council Member Hussain recapped the support from the public at the hearing on July 24th.

MOTION BY COUNCIL MEMBER WOOD TO APPROVE THE ORDINANCE TO AMEND CHAPTER 1422- SIGNS, SECTION 1442.15 WINDOW SIGNS.

Council Member Wood asked Law for an implementation and enforcement plan before it takes effect, which would be 30 days after adoption on July 31, 2017.

MOTION CARRIED 3-0.

RESOLUTION – Set a Show Cause Hearing; Make Safe or Demolish; 1310 Jerome Street

Mr. Sanford informed the Committee that the property has since sold since the start of the process, and currently Foster Swift is representing the purchaser and they have contracted with E. T. McKenzie and moving towards repairs. Mr. Sanford asked the Committee to hold off any action for 60 days. This would allow the new owner and contractor the time to remove the structure themselves.

Council Member Hussain tabled the request until the September 20, 2017 Committee meeting.

RESOLUTION – Set a Show Cause Hearing; Make Safe or Demolish; 1025 Orchard Street

Mr. Sanford cited the SEV for the property was at \$26,700; Building Value at \$45,564 and estimated cost of repairs at \$236,684. The demo board made their determination on April 20, 2017, and since that time there has been a new owner, but they have made no attempts to make the repairs.

MOTION BY COUNCIL MEMBER HOUGHTON TO SET THE SHOW CAUSE HEARING FOR AUGUST 14, 2017 FOR THE PROPERTY LOCATED AT 1025 ORCHARD STREET. MOTION CARRIED 3-0.

RESOLUTION – Set a Show Cause Hearing; Make Safe or Demolish; 214 Lathrop Street

Mr. Sanford went through the statistics on the property including the SEV at \$26,100 and estimated cost of repairs at \$152,940. The Demolition Board made their recommendation on April 20, 2017 and there has been no permits or work performed on the property.

MOTION BY COUNCIL MEMBER HOUGHTON TO SET THE SHOW CAUSE HEARING FOR AUGUST 14, 2017 FOR THE PROPERTY LOCATED AT 214 LATHROP STREET. MOTION CARRIED 3-0.

DISCUSSION – Medical Marihuana Moratorium

Mr. Smiertka distributed a spreadsheet dated July 25th regarding the status of letters that were sent on potential dispensary violators and their status since that letter was sent. Mr. Smiertka encouraged the Committee to forward any complaints to Ms. Emily Jenks in his office.

Council Member Hussain asked if there is no response and Law did not get the letter back why the log did not reflect a Cease and Desist yet on some. Mr. Smiertka noted there are reviewed and addressed on a case by case basis, and in some cases, the deadline has passed but they did communicate with the owner. Council Member Hussain then asked what happens after the Cease and Desist. Mr. Smiertka stated they will send a second letter to confirm, and then they have two options. One is a Circuit Court Junction, and another is a compliance ticket for each business individually.

There was a brief discussion on 3208 S. MLK and potential new dispensary. A letter was sent and their deadline was July 29, 2017.

UPDATE – 3801 Walton

Council Member Hussain confirmed a meeting on July 13, 2017 he had with the owner, Council Member Wood and Ms. Sumner with the City Attorney office. At that time Ms. Sumner had a plan for compliance and Mr. Kruger had until July 17th to comply. It was confirmed work was occurring however not everything in the plan was being addressed or the way it was advised. Mr. Waddell confirmed that Ms. Sumner noted to him before this meeting she has not had any further communication with the owner. The Committee discussed that the next actions should be the evictions the owner stated he would be performing, however he does not have a lease with the tenants but a month to month agreement. The Committee then briefly discussed the issues at the neighboring property of 804 LeGrande and their fence which has now created a blight issue. Information was provided to Law on the course of action.

Council Staff read a recent email from Mr. Whisler regarding earlier statements regarding Moores River Drive.

Hello Sherrie,

I would like to clarify an error in the meeting today. The volumes in 2016 varied from 6000 to 7000 vehicles per day (actually is per day), Average ADT was 6700 and was taken in October.

Public Comment

Ms. Purificato spoke on her frustration with her neighbors in the Fairfield Condo Association, specifically those at 6347 Beechfield and 6359 Beechfield. Ms. Purificato asked for assistance in obtaining police assistance when she contacts the LPD. Law was asked to take the addresses and see if there are ongoing complaints on an odor complaint at the addresses and also if there are any cases, if the Association can do a statement for the judge.

Ms. Miles voiced her frustration with what she believed was a marihuana odor on July 24th she experienced while driving home in the area of Barnes and Woodbine. Council Member Wood suggested in the future Ms. Miles should attempt to determine the exact block(s) so that enforcement can be sent out to the specific area.

ADJOURN

The meeting was adjourned at 4:49 p.m.

Submitted by,

Sherrie Boak, Council Office Manager, Lansing City Council

Approved:



OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

Virg Bernero, Mayor

TO: City Council President Patricia Spitzley and Councilmembers
FROM: Mayor Virg Bernero
DATE: 7/6/17
RE: Make Safe or Demolish - 1025 Orchard Street

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment



Virg Bernero, Mayor

City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor

From: Susan Stachowiak, Zoning Administrator

Subject: CITY COUNCIL AGENDA ITEM - Make Safe or Demolish - 1025 Orchard Street

Date: June 22, 2017

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

**CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET**

ADDRESS:	1025 Orchard Street
PARCEL NUMBER:	33-01-01-15-126-101

SHOW CAUSE HEARING DATE:	8/14/2017
DEMOLITION CASE FILE #:	2017-D001

LISTED TAXPAYER:	Patino, Amillio
INTERESTED PARTIES:	
SEV INFORMATION:	\$26,700.00
LAND VALUE:	\$7,837.00
BUILDING VALUE:	\$45,564.00
LOT SIZE:	37.130 x 178.750

HOUSING CODE VIOLATION LTR:	ltr date 9/23/16 4/14/2016
ORIGINAL RED TAG DATE:	Pwr Pnt 5/20/16 4/14/2016
ZONING:	"C"
ESTIMATE OF REPAIRS:	\$236,684.00
PICTURES:	yes
OTHER:	New owner as of 5/08/2017 purchased Red Tagged property at an online auction to date has not pulled any permits or made repairs

LEGAL DESCRIPTION:	LOT 4 FAIRVIEW SUB
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	4/20/2017
ORDER:	60 DAYS MAKE SAFE OR DEMOLISH
REASON/CONDITIONS:	SUBSTANDARD
HEARING OFFICER:	Joseph Vitale

CURRENT PERMIT ACTIVITY

BUILDING:	Required, not yet pulled
ELECTRICAL:	Required, not yet pulled
MECHANICAL:	Required, not yet pulled
PLUMBING:	Required, not yet pulled
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	6/21/2017
SHOW CAUSE HEARING DATE:	8/14/2017
PUBLIC SAFETY COMMITTEE WILL REVIEW:	7/26/2017

1025 Orchard Street

- Original Red Tag Date

- 5/20/2016

- Submitted Into Make Safe Or Demolish Process

- 4/20/7

- Property Vacant/Repairs Exceed Building SEV

- Property vacant more than 180 days

- Repairs exceed building SEV

- Title Information

- Amillio Patino (new owner as of 5/08/2017)

1025 Orchard Street

Property Value Information

- SEV

- \$26,700 *(as of 6/22/2017)*

- Structure

- \$45,564 *(as of 6/22/2017)*

- Land

- \$7,837 *(as of 6/22/2017)*

- Estimate of Repairs

- \$236,684.00

1025 Orchard Street.

Housing Code Correction Letters

● Code Compliance Inspection Date

● 9/23/2016

● Code Compliance Letter Written

● 9/23/2016

● Code Compliance Due Date

● 10/23/2016

1025 Orchard Street.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 4/20/2017

- Order by Demolition Board

- MS or D by 06/20/2017

- Request Sent To City Council for Show Cause Hearing

- 06/21/2017

1025 Orchard St.

City Council Actions

- Show Cause Hearing Held

- 00/00/00

- Public Safety Committee Meeting

- 07/26/2017

- Resolution passed by City Council

- Extension Requested By Owner

1025 Orchard St.

General Comments

- New owner purchased property on 5/08/2017. Per Code Enforcement Officer and Premise Officer new owner are thought to be residing in home no utilities. Owner told to leave and explained rules they cannot be there unless they are working on the home.
- None of the required permits have been pulled as of 06/22/2017

RECOMMENDATIONS

● FOR NEW CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Table case – Stays at PS Committee level for future review.

● FOR EXTENSION REQUESTS:

- Grant extension if requested. Requires new resolution be passed by City Council.
- Deny extension requested. Case will proceed in demo process and be sent out to bid for demolition.

● FOR TABLED CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Return case to table – Stays at PS Committee level for future review.



Mayor Virg Bernero

**Lansing Fire Department
Fire Marshal's Office
Code Enforcement Section**

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

Notice Printed: 09/23/2016

Rental Inspection Correction Notice – Re-Inspection Required

Inspection Type: Rental
Inspection Date: 09/23/2016
Compliance Due Date: 10/23/2016

VISION PROPERTY MANAGEMENT
16 BERRYHILL RD STE 200
Columbia, SC 29210

Warning: Failure to comply with the requirements of this notice may result in the issuance of a Municipal Civil Infraction Violation Ticket. (Fines: \$500 per day for each violation)

Violation Location: 1025 ORCHARD ST
Parcel No: 33-01-01-15-126-101

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 107 of the Code of Ordinances. The violations are listed below and must be corrected by the compliance due date.

NOTE: Some listed corrections may require mechanical, plumbing, electrical, demolition or building permits from The Building Safety Office. You can call (517-483-4355) to determine if State Law requires a permit for your particular repair / correction.

Due to the amount of clutter and debris in the dwelling and lack of utilities, I was not able to do a complete inspection.

Sec 108.1.3 Lack of required utilities to the dwelling. The gas / electric / water service is turned off. The dwelling lacks sanitary / heating facilities.

SEC 305.1 Mold accumulation at walls in basement / bathtub area / windows / below kitchen sink / below lavatory. All affected areas are to be cleaned and sanitized with bleach

Sec 302.2 Mold on walls and floor in basement. (All affected areas are to be cleaned and sanitized with bleach).

SEC 305.3 Nonabsorbent floor - wall coverings damaged - lacking in kitchen - bathroom - shower area.

SEC 305.3 Peeling, chipping, flaking, or abraded paint on interior surfaces of a structure must be properly removed or covered.

SEC 305.3 Plaster / Gypsum board at ceiling / wall is damaged / loose

SEC 305.3 Uncleanliness - Decay of surfaces within a dwelling that is likely to cause sickness or disease and render air, food or drink unwholesome or detrimental to the health of humans. All floors, walls, ceilings windows,

doors, cabinets, countertops, plumbing fixtures and appliances must be cleaned and maintained in a sanitary condition.

Sec 305 Vanity/kitchen cabinet is deteriorated/damaged and/or loose from the wall. Kitchen cabinet has deteriorated, damaged and/or missing drawers or doors.

Sec 305.3 Countertop in kitchen - bathroom is deteriorated - damaged - lacks nonabsorbent capacity.

Sec 305.3 Floor covering soiled - deteriorated - damaged.

Sec 307.1 Handrail is missing loose - damaged - improperly installed.

Sec 305.6 Hardware damaged or missing from multiple doors.

Sec 305.3 Wall and/or ceiling covering is loose and hanging - deteriorated and/or damaged.

Sec 305.3 Walls are deteriorated - damaged with holes - bowed - leaning.

Sec 305.3 Walls around the bathtub/shower are deteriorated and need to be caulked and repaired.

Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars. Note: All required smoke detectors shall have a minimum 5 year battery or be hardwired.

Sec 304.15 All windows and exterior doors, including storm windows and doors, shall be weather-tight and in good repair. During the months of May through October, every opening directly from a dwelling unit to outdoor space shall have supplied screens and self-closing device, and every window or door with openings to outdoor space, used or could be used for ventilation, shall likewise be supplied with screens. All screen doors and screens shall be in good repair.

Sec 304.15 Front/side/rear storm door is missing self-closing device and/or door panels

Sec 304.13.2 Every window, other than fixed windows, shall be easily openable and capable of being held in position by window hardware.

AREA: Basement

Sec 704.2 Lack of operational smoke detector at ceiling or walls outside each separate sleeping area, in each room used for sleeping purposes, on each story, including basement and cellars. Note: All required smoke detectors shall have a minimum 5 year battery or be hardwired.

Sec 604.3 Cover plates missing and or damaged at outlets - switches.

Sec 108.1.3 Electrical service is off. Inoperable light fixtures, switches and outlets.

Sec 605.1 Electrical wiring/service panel installed without a permit. Bring the electrical to code. Electrical permit required.

Sec 605.1 Permit for service panel / electrical wiring installation has not been issued and lacks inspection and approval by the City of Lansing, Electrical Inspector. The Building Safety Office, ph. 483-4355.

Sec 604.3 Wire splices not enclosed in junction box.

Sec 604.3 Wiring is deteriorated and/or unsafe. Have a licensed contractor check the wiring, bring it up to code, and submit a copy of their report to our office.

Sec 604.3 Wiring is exposed - unprotected faulty and unsafe.

Sec 604.3 Wires are loose - hanging.

Sec 605.1 Most of the electrical service is exposed as many of the walls have been opened up and the drywall has been removed. Bring all electrical up to code with the benefit of an Electrical Permit.

Sec 504.1 Plumbing permit required for new water heater, water supply piping, and waste piping. Bring all plumbing up to code.

Sec 504.1 Plumbing work is being done without a permit and inspection. Bring the plumbing up to code.

Sec 504.1 Work to be done to code by a licensed plumber with benefit or permit and inspection.

Sec 504.1 Water heater installed. Permit for water heater installation has not been issued and lacks inspection and approval by the City of Lansing Plumbing Inspector. You must have a licensed plumbing contractor pull a plumbing permit, check the installation, make any corrections and then; contact David Burton at 483-4367 for final approval.

Sec 603.1 Furnace: Due to age and or condition, have a qualified mechanical contractor that is registered with the City of Lansing, visually inspect and perform a recognized test of the furnace heat exchanger for CO/CO2 leaks. Inspect the heat exchanger for cracks, openings, excessive rust and corrosion. Inspect furnace casing, check for proper venting and check chimney for restrictions and obstructions. Submit a written report by contractor detailing the results and repairs completed per code.

Sec 603.1 Furnace lacks a clean filter - burners and blower require cleaning and servicing.

AREA: Exterior

Section 304.15 Gaps around - at bottom of entrance door.

Section 304.15 Paint or protective coating is missing and deteriorated at siding and/or trim on house and garage.

Section 304.6 Siding - trim is deteriorated - damaged - missing.

Section 304.13.1 Window glass is broken and/or missing.

Section 304.13 Windows and/or trim around the windows are deteriorated and need to be repaired or replaced.

Sec 304.7 Missing downspout and extension to gutter.

Sec 304.7 Eave troughs are deteriorated - loose and partially detached - draining into sewer - clogged.

Sec 304.7 Roof covering is deteriorated - damaged - leaking - missing.

Sec 304.7 Roof decking and support posts are deteriorated - damaged - sagging - leaning.

Sec 304.7 Roof on house/garage is deteriorated and damaged. Replace all deteriorated wood and shingles.

304. Garage - Make safe or demolish. Building or demo permit required.

This dwelling has been declared SUBSTANDARD as defined in section 1460.08 of the Lansing Housing and Premises Code. If vacant, or should it become vacant before all repairs are completed, then it shall remain vacant until this office has approved all corrections.

Failure to comply by the compliance due date may result in the issuance of a Municipal Civil Infraction Violation with **Fines: \$500 per day for each violation and may result in the property being vacated by this office.**

You must contact the under signed, no later than seven days before the compliance due date, to set up an appointment to meet at the structure (to verify that all corrections have been completed) or to acquire an authorized extension. Before the re-inspection you must obtain all required permits and have those repairs inspected and approved by the appropriate inspector. All violations must be corrected with approved materials and methods.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

If you have any questions or concerns about complying within the time indicated, you may contact at (517) 702 4751 Monday through Friday between the hours of 8-9 - AM or 12-1 - PM.

Officer: Amy Castillo

This does not guarantee discovery or reporting of all code violations or property defects, manifest or latent, which exist at the property inspected. The City of Lansing, its officers and employees, shall not be liable for any injury or damage, including incidental or consequential damages, claimed to be a result of any failure to discover or report code violations or property defects.

As specified by section 107- Notices and Orders - a copy of this violation was sent to:
Registered Rental Owner: AMC VISION V L L C, PO BOX 488, COLUMBIA, SC 29202-0488



LANSING FIRE DEPARTMENT FIRE MARSHAL'S OFFICE

316 N. Capitol Avenue, Suite C-1 • Lansing, MI 48933-1238
(517) 483-4361 • FAX: (517) 377-0169

CODE COMPLIANCE SECTION

Virg Bernero, Mayor

July 17, 2017

Certified Number: 7015 1520 0001 0529 5148

Amillio Patino
2505 Alpha Street
Lansing, MI 48910

Dear Mr. Patino

RE: DANGEROUS BUILDING AT 1025 Orchard Street SHOW CAUSE HEARING

TAKE NOTICE: In accordance with the provisions of City of Lansing Housing & Premises Code Section 1460.11 and MCL 125.538 et. seq., a Show Cause Hearing concerning the building and/or any accessory structure(s) located at 1025 Orchard Street, Lansing, Michigan, is scheduled before the City Council of the City of Lansing.

HEARING TIME: August 14, 2017 @ 7:00 p.m.
HEARING PLACE: Council Chambers 10th Floor City Hall
124 W. Michigan Lansing, Michigan 48933

The Demolition Board has determined that the subject building, and/or any accessory structure, is "Dangerous" as defined in the aforesated laws. THE PURPOSE OF THE HEARING is to give interested parties an opportunity to take exception to the determination made by the Demolition Board and to otherwise give testimony and SHOW CAUSE WHY THE SUBJECT BUILDING(S) SHOULD NOT BE ORDERED TO BE DEMOLISHED by the City Council.

Issuance of any building and/or trade permit(s) does not, in any way, alter the demolition schedule or give rise to a cause of action to prevent the demolition of this property. The permit applicant/owner assumes any risks and costs associated with obtaining the permit(s) for the property listed above.

Sincerely,

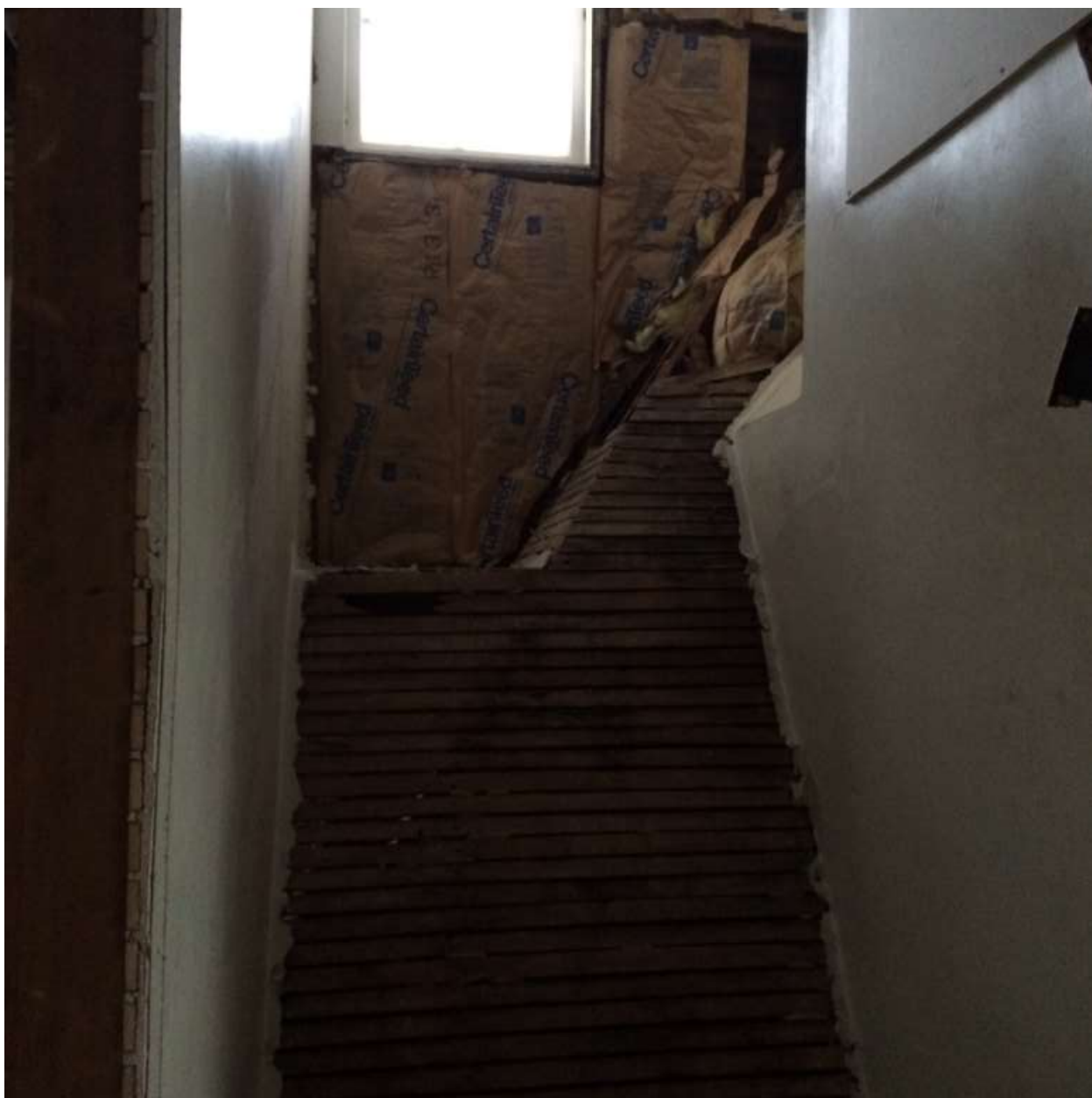
A handwritten signature in black ink, appearing to read "Scott Sanford", is written over a horizontal line.

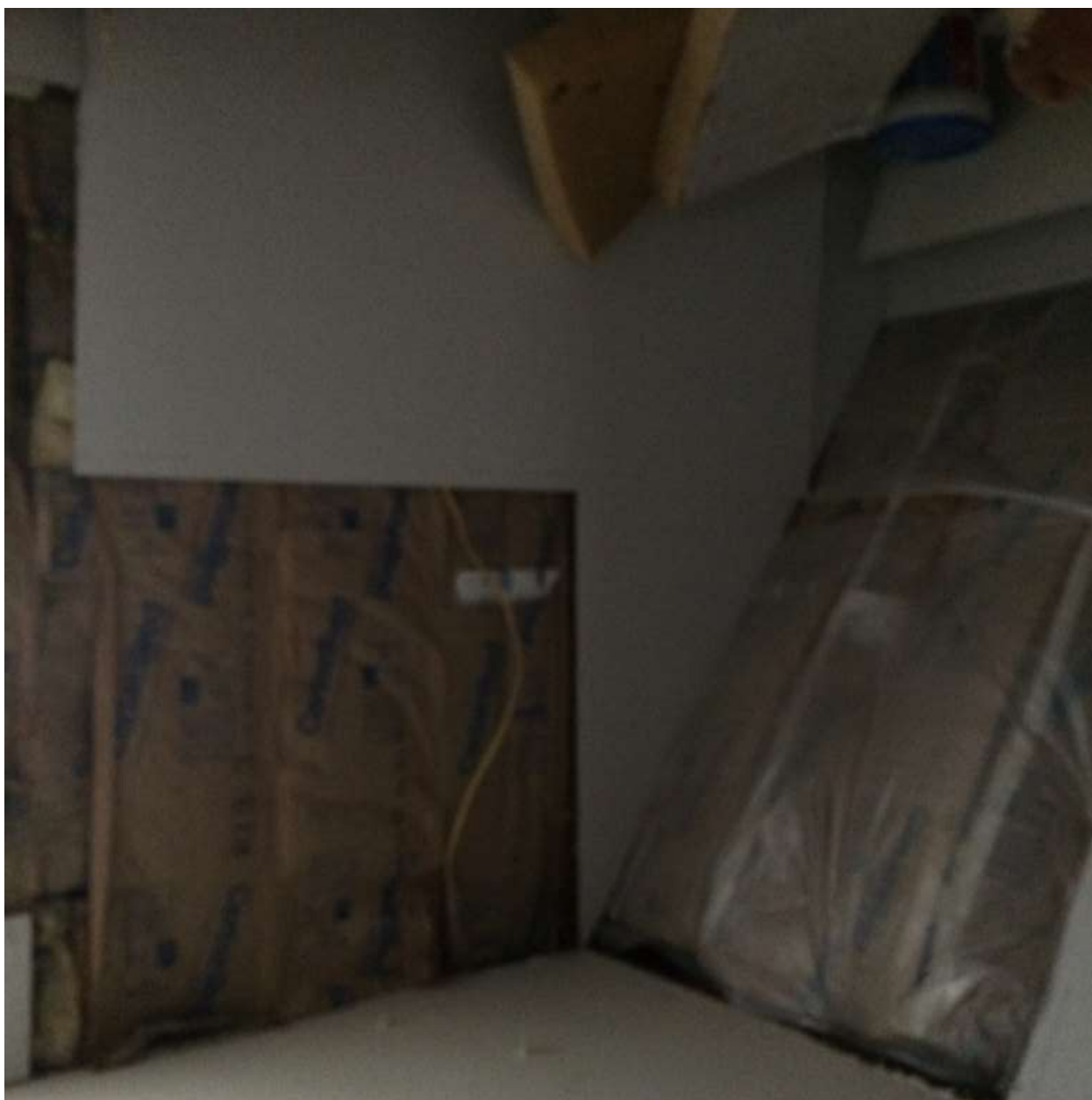
Scott Sanford
Lead Housing Inspector

SS/lmp

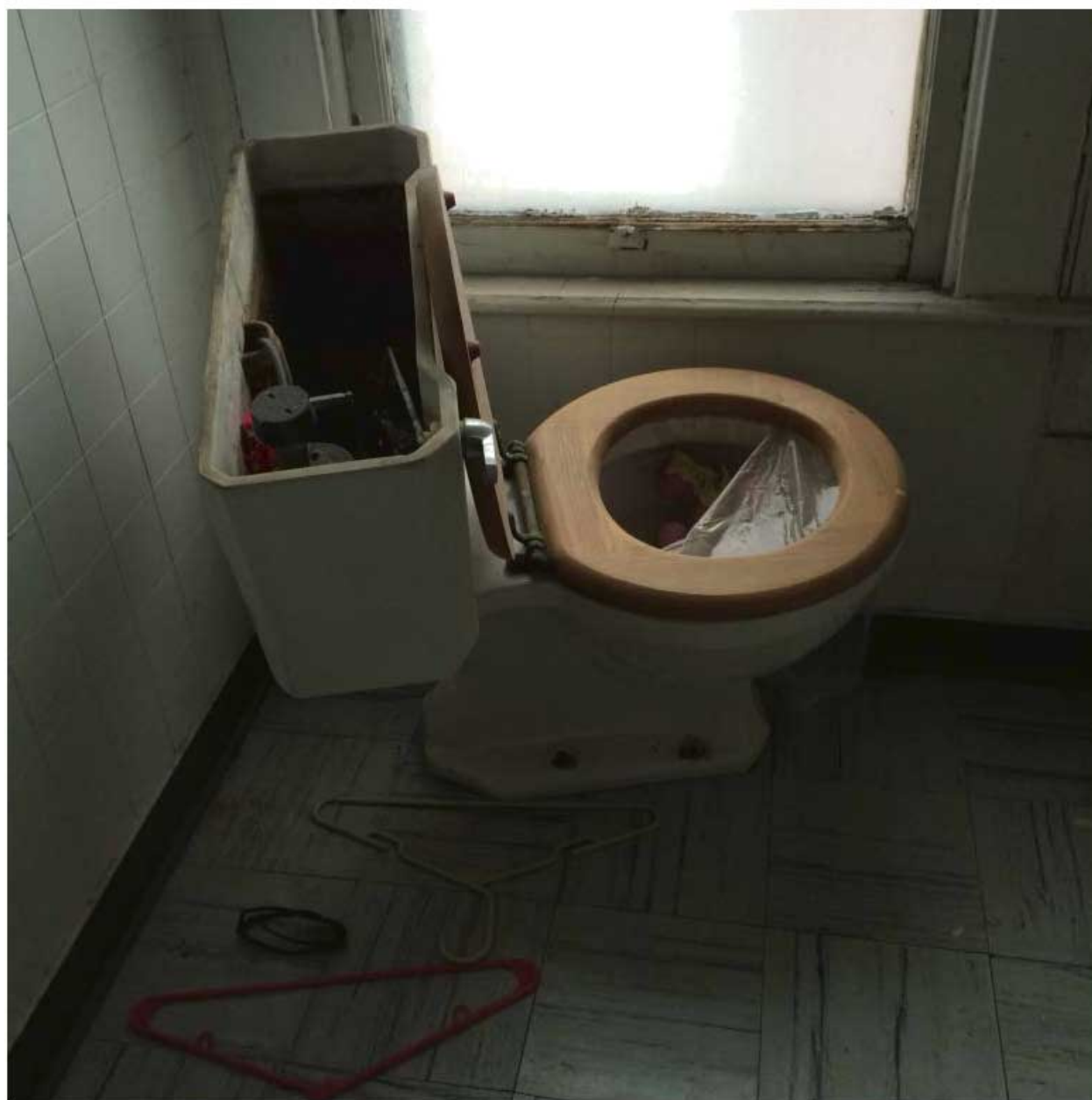
Attachment



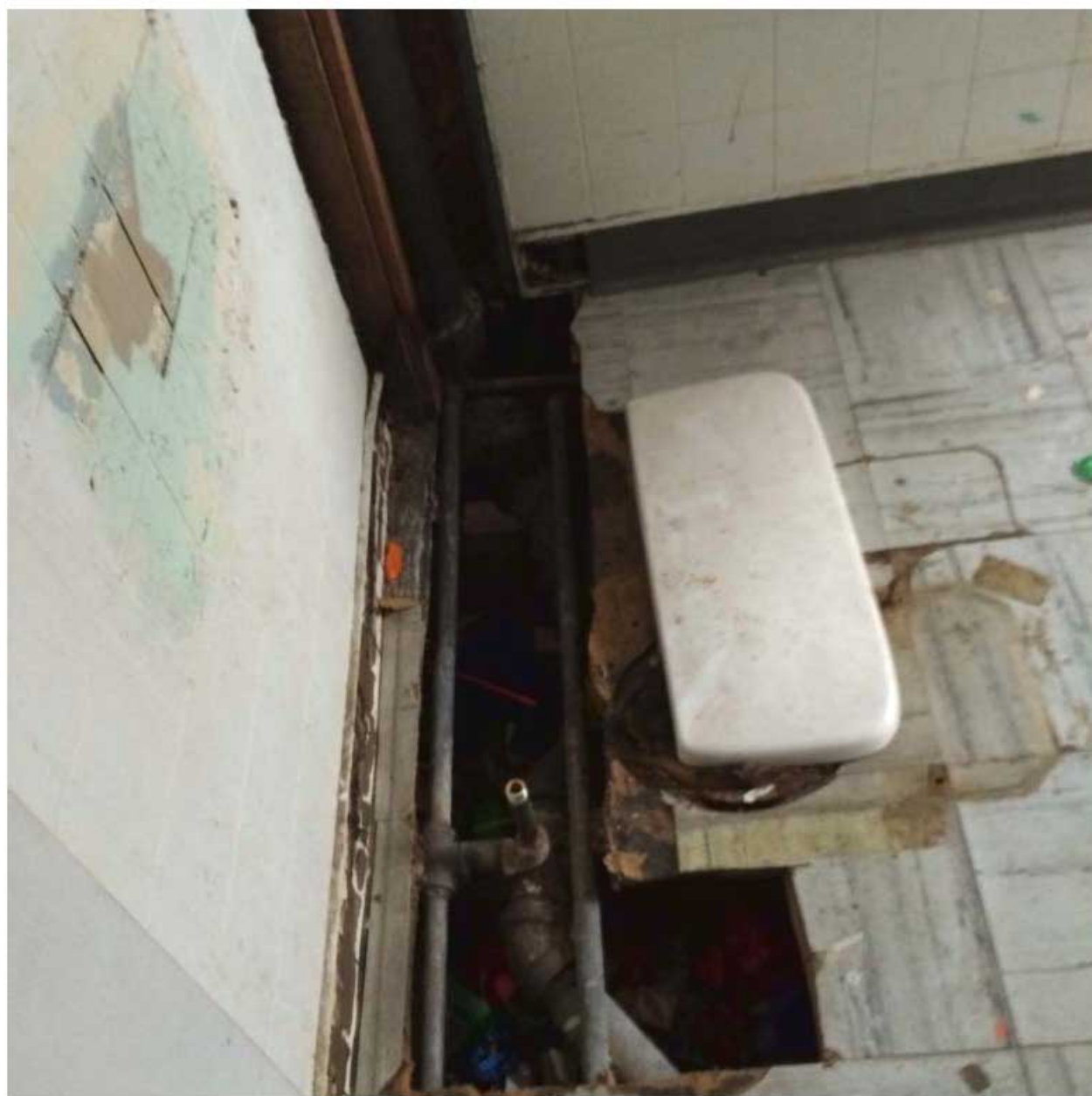






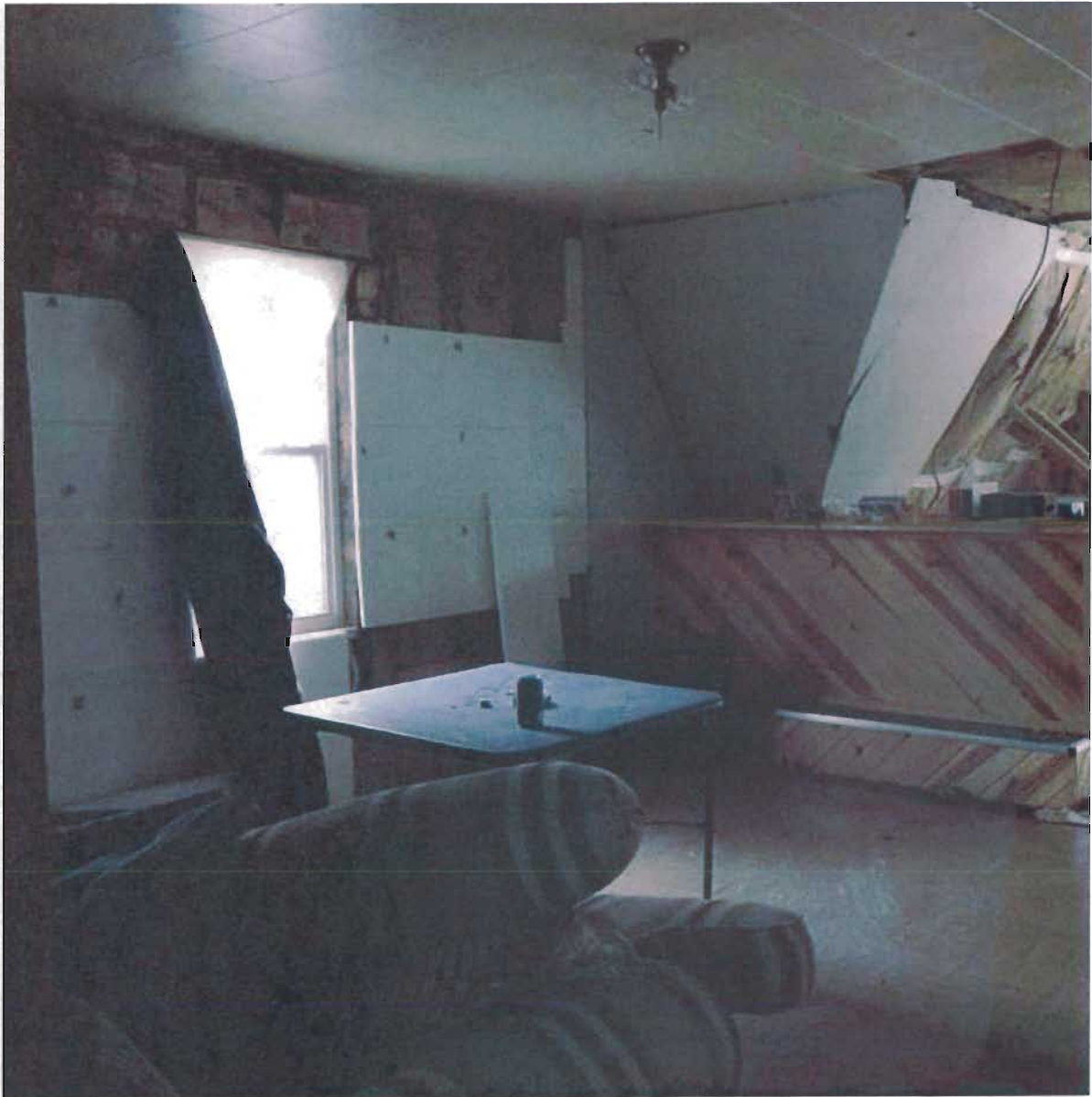




















PROOF OF POSTING OF
REPORT OF HEARING
OFFICERS FINDINGS AND ORDER
CITY COUNCIL HEARING

Amy Castillo, being first duly sworn, deposes and says that on the
17th day of July, 2017, he/she posted upon the premises of
1025 Orchard Ct. an exact copy of the Report of Hearing
Officer's Findings and Order from City Council, which is attached hereto, by personally affixing
the same to the outside wall of the structure located thereon.

A Castillo

Subscribed and sworn to before me this 17 day of July, 2017.

LYNNE M PUENTE
Notary Public, State of Michigan
County Of Ingham
My Commission Expires 03-07-2021
Acting in the County of Ingham

Lynne M Puente
Lynne M. Puente
Notary Public, State of Michigan
County of Eaton
My Commission expires on March 7, 2021.
Acting in the county of Ingham

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Enforcement Lead Housing Inspector has declared the building located at 1025 Orchard Street, Parcel #: 33-01-01-15-126-101, legally described as: Lot 4, Fairview Subdivision to be an unsafe and dangerous building as defined in Section 108.1.1 of the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Code Enforcement Office red tagged the building on April 14, 2016 and requested the property owner be ordered to demolish or otherwise make safe the building; and

WHEREAS, on April 20, 2017 the Lansing Demolition Board held a meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the building; and

WHEREAS, the Code Enforcement Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for Monday, at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at 1025 Orchard Street to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Code Enforcement Lead Housing Inspector notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.



Virg Bernero, Mayor

OFFICE OF THE MAYOR

9th Floor, City Hall
124 W. Michigan Avenue
Lansing, Michigan 48933-1694
(517) 483-4141 (voice)
(517) 483-4479 (TDD)
(517) 483-6066 (Fax)

TO: City Council President Patricia Spitzley and Councilmembers
FROM: Mayor Virg Bernero
DATE: 7-6-17
RE: Make Safe or Demolish - 214 Lathrop Street

The attached correspondence is forwarded for your review and appropriate action.

VB/rh
Attachment



City of Lansing
Inter-Departmental
Memorandum



To: Virg Bernero, Mayor

From: Susan Stachowiak, Zoning Administrator

Subject: CITY COUNCIL AGENDA ITEM - Make Safe or Demolish - 214 Lathrop Street

Date: June 22, 2017

Please forward this resolution to City Council for placement on the Agenda.

If you have any questions, or need additional information, please give me a call.

Attachments

**CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET**

ADDRESS:	214 Lathrop
PARCEL NUMBER:	33-01-01-15-406-171

SHOW CAUSE HEARING DATE:	s/b 8/14/2017 8/16/2017
DEMOLITION CASE FILE #:	17-D0003

LISTED TAXPAYER:	Finnerty, Delrae
INTERESTED PARTIES:	ABN AMRO Mortgage Group Inc.
SEV INFORMATION:	\$26,100.00
LAND VALUE:	\$8,947.00
BUILDING VALUE:	\$43,178.00
LOT SIZE:	33 x 121

HOUSING CODE VIOLATION LTR:	7/9/2013
ORIGINAL RED TAG DATE:	Pwr Pnt 7/17/13 7/9/2013
ZONING:	"C"
ESTIMATE OF REPAIRS:	\$152,940.00
PICTURES:	YES
OTHER:	

LEGAL DESCRIPTION:	S 7 FT LOT 16 & N 26 FT LOT 17 HARRAHS ADD
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	4/20/2017
ORDER:	60 DAYS MAKE SAFE OR DEMOLISH
REASON/CONDITIONS:	
HEARING OFFICER:	DAVE MUYLLE

CURRENT PERMIT ACTIVITY

BUILDING:	Required, not yet pulled
ELECTRICAL:	Required, not yet pulled
MECHANICAL:	Required, not yet pulled
PLUMBING:	Required, not yet pulled
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	6/21/2017
SHOW CAUSE HEARING DATE:	8/14/2017
PUBLIC SAFETY COMMITTEE WILL REVIEW:	7/26/2017

214 Lathrop Street

- Original Red Tag Date

- 7/17/2013

- Submitted Into Make Safe Or Demolish Process

- 4/20/17

- Property Vacant/Repairs Exceed Building SEV

- Property vacant more than 180 days
 - Repairs exceed building SEV

- Title Information

- Delrae Finnerty
 - ABN Amro

214 Lathrop Street

Property Value Information

- SEV

- \$26,100 (*as of 6/22/17*)

- Structure

- \$43,178 (*as of 6/22/17*)

- Land

- \$8,947 (*as of 6/22/17*)

- Estimate of Repairs

- \$152,940

214 Lathrop Street.

Housing Code Correction Letters

- Code Compliance Inspection Date

- 7/09/2013

- Code Compliance Letter Written

- 7/17/2013

- Code Compliance Due Date

- 8/08/2013

214 Lathrop.

Demolition Board Actions

- Demolition Board Show Cause Hearings

- 4/20/2017

- Order by Demolition Board

- MS or D by 06/20/2017

- Request Sent To City Council for Show Cause Hearing

- 06/21/2017

214 Lathrop.

City Council Actions

- Show Cause Hearing Held

- 00/00/00

- Public Safety Committee Meeting

- 06/21/2017

- Resolution passed by City Council

- Extension Requested By Owner

214 Lathrop St.

General Comments

- House is a hoarding situation repairs cannot be done due to the amount of debris throughout the home
- None of the required permits have been pulled as of 11/13/08.

RECOMMENDATIONS

● FOR NEW CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Table case – Stays at PS Committee level for future review.

● FOR EXTENSION REQUESTS:

- Grant extension if requested. Requires new resolution be passed by City Council.
- Deny extension requested. Case will proceed in demo process and be sent out to bid for demolition.

● FOR TABLED CASES:

- Recommend time frame for MS or D. This requires a resolution be passed by City Council –
 - 60 days for regular demolitions
 - 30 days for fire-damaged demolitions
- Return case to table – Stays at PS Committee level for future review.



Virg Bernero, Mayor

Office of Code Compliance

Department of Planning and Neighborhood Development

316 N. Capitol, Ste C-1, Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0169

Notice Printed: 07/17/2013

Unsafe and Dangerous Correction Notice

Inspection Type: Safety
Inspection Date: 07/09/2013
Compliance Due Date: 08/08/2013

FINNERTY DELRAE
214 LATHROP ST
LANSING, MI 48912

Warning: *Failure to comply with the requirements of this notice may result in the issuance of a Municipal Civil Infraction Violation Ticket. (Fines: \$500 per day for each violation)*

Violation Location:	214 LATHROP ST
Parcel No:	33-01-01-15-406-171

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 108 of the Code of Ordinances. **The violations are listed below and must be corrected by the compliance due date.**

Sec 308.1 Accumulation of trash - debris - combustibles - feces - soiled clothing - deteriorated furniture - deteriorated appliances throughout the dwelling - in basement - in garage - in yard

Sec 702.1 Lack of a safe, continuous and unobstructed path of travel from any point in a structure to the public way.

Section 304.10 Rear porch is deteriorated and damaged - unstable - leaning - sagging.

Section 304.13.1 Window glass is broken and/or missing.

Section 304.6 Siding - trim is deteriorated - damaged - missing.

This dwelling has been declared an UNSAFE STRUCTURE as defined in section 108 of the Lansing Housing and Premises Code. Signs have been posted at each entrance that read - DO NOT ENTER, UNSAFE TO OCCUPY. It is a misdemeanor to occupy this building, or to remove or deface this notice. Said dwelling shall remain vacant until this office has conducted a complete inspection and approved all corrections.

Failure to comply by the compliance due date may result in the issuance of a Municipal Civil Infraction. Violation with **Fines: \$500 per day for each violation.**

If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 6946 Monday through Thursday between the hours of 8-9 - AM or 12-1 - PM.

Officer: Scott Sanford

This does not guarantee discovery or reporting of all code violations or property defects, manifest or latent, which exist at the property inspected. The City of Lansing, its officers and employees, shall not be liable for any injury or damage, including incidental or consequential damages, claimed to be a result of any failure to discover or report code violations or property defects.

As specified by section 107- Notices and Orders - a copy of this violation was sent to:
Taxpayer of Record: FINNERTY DELRAE, 214 LATHROP ST, LANSING, MI 48912



LANSING FIRE DEPARTMENT FIRE MARSHAL'S OFFICE

316 N. Capitol Avenue, Suite C-1 • Lansing, MI 48933-1238
(517) 483-4361 • FAX: (517) 377-0169

CODE COMPLIANCE SECTION

Virg Bernero, Mayor

July 17, 2017

Certified Number: 7013 2250 0001 2798 4092

Delrae Finnerty
214 Lathrop Street
Lansing, MI 48912-2204

Dear Ms. Finnerty

RE: DANGEROUS BUILDING AT 214 Lathrop SHOW CAUSE HEARING

TAKE NOTICE: In accordance with the provisions of City of Lansing Housing & Premises Code Section 1460.11 and MCL 125.538 et. seq., a Show Cause Hearing concerning the building and/or any accessory structure(s) located at 214 Lathrop, Lansing, Michigan, is scheduled before the City Council of the City of Lansing.

HEARING TIME: August 14, 2017 @ 7:00 p.m.
HEARING PLACE: Council Chambers 10th Floor City Hall
124 W. Michigan Lansing, Michigan 48933

The Demolition Board has determined that the subject building, and/or any accessory structure, is "Dangerous" as defined in the aforesaid laws. THE PURPOSE OF THE HEARING is to give interested parties an opportunity to take exception to the determination made by the Demolition Board and to otherwise give testimony and SHOW CAUSE WHY THE SUBJECT BUILDING(S) SHOULD NOT BE ORDERED TO BE DEMOLISHED by the City Council.

Issuance of any building and/or trade permit(s) does not, in any way, alter the demolition schedule or give rise to a cause of action to prevent the demolition of this property. The permit applicant/owner assumes any risks and costs associated with obtaining the permit(s) for the property listed above.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Sanford".

Scott Sanford
Lead Housing Inspector

SS/lmp

Attachment



LANSING FIRE DEPARTMENT FIRE MARSHAL'S OFFICE

316 N. Capitol Avenue, Suite C-1 • Lansing, MI 48933-1238
(517) 483-4361 • FAX: (517) 377-0169

CODE COMPLIANCE SECTION

Virg Bernero, Mayor

July 17, 2017

Certified Number: 7013 2250 0001 2798 4085

ABN Amro Mortgage Group Inc.
2600 W. Big Beaver Road
Troy, MI 48084

Dear ABN Amro Mortgage Group Inc.

RE: DANGEROUS BUILDING AT 214 Lathrop SHOW CAUSE HEARING

TAKE NOTICE: In accordance with the provisions of City of Lansing Housing & Premises Code Section 1460.11 and MCL 125.538 et. seq., a Show Cause Hearing concerning the building and/or any accessory structure(s) located at 214 Lathrop, Lansing, Michigan, is scheduled before the City Council of the City of Lansing.

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Sincerely,

A handwritten signature in black ink, appearing to read "Scott Sanford", is written over a horizontal line.

Scott Sanford
Lead Housing Inspector

SS/Imp

Attachment













07/09/2013 11:00









PROOF OF POSTING OF
REPORT OF HEARING
OFFICERS FINDINGS AND ORDER
CITY COUNCIL HEARING

Amy Castillo, being first duly sworn, deposes and says that on the
17th day of July, 2017, he/she posted upon the premises of
214 Lathrop St. an exact copy of the Report of Hearing
Officer's Findings and Order from City Council, which is attached hereto, by personally affixing
the same to the outside wall of the structure located thereon.

Amy Castillo

Subscribed and sworn to before me this 17 day of July, 2017.

LYNNE M PUENTE
Notary Public, State of Michigan
County Of Ingham
My Commission Expires 03-07-2021
Acting in the County of Ingham

Lynne M Puente
Lynne M. Puente
Notary Public, State of Michigan
County of Eaton
My Commission expires on March 7, 2021.
Acting in the county of Ingham

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Enforcement Lead Housing Inspector has declared the building located at 214 Lathrop Street, Parcel #: 33-01-01-15-406-171, legally described as: South 7 Feet of Lot 16 & the North 26 Feet of Lot 17, Harrah's Addition, to be an unsafe and dangerous building as defined in Section 108.1.1 of the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Code Enforcement Office red tagged the building on July 17, 2013 and requested the property owner be ordered to demolish or otherwise make safe the building; and

WHEREAS, on April 20, 2017 the Lansing Demolition Board held a meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the building; and

WHEREAS, the Code Enforcement Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for Monday, at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at 214 Lathrop Street to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Code Enforcement Lead Housing Inspector notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

Intentionally Left Blank



7/25/17

HAS NOT RESPONDED	CLEARED	HAS RESPONDED BUT STILL PENDING	CEASE AND DESIST							
ACCUSED ADDRESS	Was this a complaint?	How was it found:	Assigned Attorney	Letter Sent	Due Date	Affidavit Received	Other Materials Received	STATUS	NEXT STEP	NOTES/COMMUNICATION
5031 S. Cedar - Cedar Leaf	YES	Weedmaps - EJ (no online presence before Jan 2017)	HES/AO	6/21/2017	7/21/2017	-	Letter from landlord	Additional Info Letter Sent 7/24	Additional Info Due Aug 8	7/17/17 - Received an email from Billy Hanosh containing a letter from Cynthia E. Whiddon, their landlord, advising that they have been operating since 2012 and have been good tenants. -EJ
3409 S Cedar - Once Bitten Twice Baked	NO	Weedmaps - EJ (no online presence before Dec 2016)	HES/AO	6/21/2017	7/21/2017	-	-	Cease and desist letter sent 7/24	Pending	
3314 S Cedar - CannaCare Lansing	NO	Weedmaps - EJ (Found on WeedMaps, there is a review saying they opened March 2017. On spreadsheet as Grass is greener)	HES/AO	6/21/2017	7/21/2017	-	Lease Agreement	Determined not in violation	-	7/17/17 - Joseph Bissonette came in and gave us a copy of his rental agreement and his driver's license, medical marijuana card and the card of one of his patients. The lease agreement is from September 24, 2015. -ej 7/20/17 - determined in compliance per meeting with VMK, JDS, HES, NMM -cj
3001 S Washington - The Green Room	YES OK	Steve Green email 5/25	HES/AO	6/21/2017	7/21/2017	-	-	Cease and desist letter sent 7/24	Pending	
1900 E. Kalamazoo - Stateside Wellness	NO	Mark Dotson / Weedmaps -EJ (Used to be Lucky's Party Store (weedmaps reviews only go back to Feb 2017))	HES/AO	6/21/2017	7/21/2017	-	-	Nothing received but in communication	Kevin McKinney	7/20/17 - Kevin McKinney has until 7/30 to provide info -EJ
1825 E Michigan - Capitol Wellness (aka TNT)	YES	Mark Dotson	HES/AO	6/21/2017	7/21/2017	-	Assessment of membership interest in TNT Industries - Ray Sagmani ownership began Nov 21 2016 ???	Additional Info Letter Sent 7/24	Additional Info Due Aug 8	6/28/17 - VK received a call from Ray Sagmani today regarding a letter he received stating there have been complaints that he is not in compliance with the moratorium. He said he had been talking to Mark and sent Mark all of his documents proving he was in compliance. He doesn't know what this letter is about and would like a call back. His establishment is TNT Industries, DBA Capitol Wellness at 1825 E. Michigan Ave, 48912. - VMK 6/29/2017- Called 517-708-7023. Left message with employee to call us back. -AO

Submitted @ mtg

1410 E Kalamazoo - TreeHouse	NO	Weedmaps - EJ (says opened June 1)	HES/AO	6/21/2017	7/21/2017	-	Social media screenshot showing an opening date before moratorium (INSUFFICIENT). Promised a lease agreement but has not been received as of 6/29. Update 7/10: lease agreement received but it is unsigned.	Additional Info Letter Sent 7/24	Additional Info Due Aug 8	6/29/2017- Spoke with Ben Castanier. He will be providing a copy of his lease, an advertisement of the opening, and affidavit from long time employee on 6/30/2017. -AO 7/10/2017- received email from Ben Castanier containing a 2nd copy of an advertisement of the opening of his dispensary and a copy of an unexecuted lease agreement. I emailed back to note that neither document was dated and the lease was unsigned; this is insufficient information. I requested a copy of the executed lease and an alternative form of proof. -AO
1300 N Larch - Lansterdam	NO	Weedmaps - EJ	HES/AO	6/21/2017	7/21/2017	-	Weedmaps receipt	Additional Info Letter Sent 7/24	Additional Info Due Aug 8	7/5/17 - called and said he faxed in a weedmaps receipt detailing that he was open before the moratorium began. I let him know he should gather up other information just in case and we would be in touch with him - I was not able to locate the fax. Said Adam Hussain had been by in March and said that he was okay. -EJ 7/11/2017- Reviewed documentation- copy of weedmap receipt. This is sufficient, however, we are requesting 2 forms of proof so we will need one more piece of documentation from the owner- Stephen Joseph. I left a voicemail message for the owner to call me back. - AO
1202 S Washington - Capital Dank	YES	Mark Dotson (Complaint)	HES/AO	6/21/2017	7/21/2017	-	-	Nothing received	Nick Calkins is in contact with HES	Per Mark: Name and location change from Michigan Avenue, Weedmaps shows as member since 2013. Formerly Quality Alternative Medicine. Affidavit forthcoming 7/20/17 - HES in communication with Nick Calkins, attorney. -ej
1116 W. Holmes - Healing Tree	YES	Complaint	HES/AO	6/21/2017	7/21/2017	-	-	Nothing received	Find correct address	7/20/17 - bad address, letter was sent back. Currently searching for correct address. -ej
928 Jolly - South Side Alternative	YES	Mark Dotson - Complaint	HES/AO	6/21/2017	7/21/2017	-	-	Nothing received	Call Matt M - 517-449-2100	7/21 - Called and emailed Matt Maddaloni requesting affidavit and lease/utility bills.

915 Miller - MMMP Collective	YES	Complaint	HES/AO	6/21/2017	7/21/2017	YES	-	Pending	-	6/28/2017—spoke with Steven Bahoora, for MMP Collective at 515 Miller, who called our office to inquire as to what he needs to send. I told him that in addition to what he had already provided Mark, he needed to provide an affidavit stating that he was in operation prior to the moratorium. He did not have a lease or utility bills that would be dispositive, and he did not begin paying for WeedMaps until after the moratorium. Assured him he is not being harassed or “picked on.” -HES
910 Southland - 517 Releaf	YES	Mark Dotson - Complaint	HES/AO	6/21/2017	7/21/2017	-	Certificate of Occupancy and Lease Agreement	Determined not in violation	-	7/3/17- Reviewed submissions. Appears that Releaf assumed existing lease on 1/19/2017. This is not sufficient evidence of an existing operation prior to 5/2016 moratorium (Capital City Compassion Center). Spoke with owner Victor Semaan. He indicated that he thought buying out an existing marijuana shop would mean that he was compliant with the moratorium. I advised that I thought there was a violation, but that the city had not yet decided how we were going to pursue violators. I provided my phone number and asked him to call me in a few weeks for an update. - AO 7/20/17 - determined in compliance per meeting with VMK, JDS, HES, NMM -ej
229 W Grand River - Grand Releaf Meds	NO	Weedmaps - EJ	HES/AO	6/21/2017	7/21/2017	-	Lease Agreement	Determined not in violation	-	7/12/17 - received a copy of lease agreement from Kenneth Kanaya. The lease agreement began February 27, 2016. -ej 7/20/17 - determined in compliance per meeting with VMK, JDS, HES, NMM -ej
3208 S MLK	YES - Adam Hussain	Complaint - Adam Hussain	HES/AO	7/14/17 (given 15 days)	7/29/2017	-	-	Nothing received - Due July 29		7/20/17 - added Adam Hussain's affidavit to folder -ej
918 Southland	YES	Complaint from 910 Southland Owner	HES/AO			-	-		Search for evidence of violation	