

HOUSING APPEALS BOARD – MINUTES

April 10th, 2019– MUNICIPAL SERVICE CENTER – City Council Chambers, 2nd Floor
1551 East MLK Jr. Parkway, DES MOINES, IOWA 50317

I. CALL TO ORDER

Sarah Heggen called the meeting to order at 5:30 p.m. and read the opening remarks statement.

II. ROLL CALL

PRESENT: Sarah Heggen, Bob Raker, Victoria Daniels, Carole Jones, Scott Durham, Craig Wetzels and Dennis Groenenboom

STAFF PRESENT: Jim Nelson - Neighborhood Inspection Supervisor
Chris Heilskov – Neighborhood Inspection Supervisor
Jessica Spoden – Assistant City Attorney
Lawrence Dempsey – Assistant City Attorney
Kaydee Bobbitt - Customer Service Representative
Tammy Yaw – Neighborhood Inspections Assistant
Joshua Raleigh – Neighborhood Inspector
Eric Barker – Neighborhood Inspector
Steve Landwehr – Neighborhood Inspector
Jon Raleigh – Neighborhood Inspector

STAFF ABSENT: Justin Denning – Neighborhood Inspector
Mike Lehman – Neighborhood Inspector

III. FORMAL APPROVAL OF THE March 13th, 2019 MINUTES

Victoria Daniels moved to approve the amended minutes of March 13th, 2019. **Motion was seconded by Bob Raker** and was unanimously approved by the Board.

IV. RECOMMENDATION FOR INJUNCTIVE ACTION

A. Authorizing

Court authority to order owner to make necessary repairs to secure substantial compliance with the Des Moines Municipal Housing Code and for such other relief as the court deems equitable at the following location(s):

1800 Watrous Ave Bldgs. 1 ,2, 3, &4,/ 42 & 43 / 36,37 / 53&54 / 55&56 / 38, 39, 40 &41 / Wakonda Village Apartments , LP, Attn.: Ashlee Wilson, management agent – Jim Nelson stated that the property violations complied. **Victoria Daniels moved** to remove the properties from the agenda. **Motion was seconded by Bob Raker** and was unanimously approved by the Board.

1245 34th St / Phi Delta Theta Hsehdng Corp.
Attn.: Tom Coonan, President

EB

HRC2017-01567

Property representative, **Tim Coonan, was present.** The Board discussed the listed violations. **Bob Raker moved** to give an extension to May 1st, 2019 to have the property complied or be referred to legal with the full penalty fine of \$680.00. **Motion was seconded by Victoria Daniels.** Bob Raker, Victoria Daniels, Sarah Heggen, Craig Wetzel and Dennis Groenenboom voted yes, and Carole Jones and Scott Durham voted no. Motion was approved by the Board with a vote of 5-2.

1800 Watrous Ave Bldg 46, 47 & 48 / Wakonda Village Apartments **JR**
Attn.: Ashlee Wilson, Management Agent

HRC2018-01386

Ashley Wilson, management agent, was present. The Board discussed the listed violations. **Carole Jones moved** to refer the property to legal with the full penalty fine of \$560.00. **Motion was seconded by Craig Wetzel.** Carole Jones, Craig Wetzel, Scott Durham, Bob Raker and Dennis Groenenboom voted yes, and Sarah Heggen and Victoria Daniels voted no. Motion was approved by the Board with a vote of 5-2.

1800 Watrous Ave Bldg 59 / Wakonda Village Apartments
Attn.: Ashlee Wilson, Management Agent

JR

HRC2018-01389

Ashley Wilson, management agent, was present. The Board discussed the listed violations. **Bob Raker moved** to give an extension to June 5th, 2019 to have the property complied or be referred to legal with the full penalty fine of \$5,000.00. **There was no second.** Motion failed. **Carole Jones moved** to refer the property to legal with the full penalty fine of \$5,000.00. **Motion was seconded by Scott Durham.** Carole Jones, Scott Durham, Victoria Daniels, Sarah Heggen and Craig Wetzel voted yes, and Bob Raker and Dennis Groenenboom voted no. Motion was approved by the Board with a vote of 5-2.

1800 Watrous Ave Bldg 49, 50, 51 & 52 / Wakonda Village Apartments **JR**
Attn.: Ashlee Wilson, Management Agent

HRC2018-01391

Ashley Wilson, management agent, was present. The Board discussed the listed violations. **Victoria Daniels moved** to give an extension to May 1st, 2019 to have the property complied or be referred to legal with the full penalty fine of \$560.00. **Motion was seconded by Bob Raker.** Victoria Daniels, Bob Raker, Sarah Heggen, Scott Durham, Craig Wetzel and Dennis Groenenboom voted yes, and Carole Jones voted no. Motion was approved by the Board with a vote of 6-1.

1043 21st St / We Can Build It LC, Attn.: Aaron Hubbard, Reg. Agent

EB

HRC2018-02180

Aaron Hubbard, registered agent, was not present. Pursuant to Chapter 60-40 (e)(6) **Sarah Heggen moved** to refer the property to legal with the full penalty fine of \$825.00. **Motion was seconded by Victoria Daniels** and was unanimously approved by the Board.

216 Dickman Rd / Willow Park Apartments
Attn.: Cheryl Jarvis, Mgmt. Agent

JCR

HRC2018-02792

Cheryl Jarvis, management agent, **was present**. The Board discussed the listed violations. **Craig Wetzel moved** to give an extension to June 1st, 2019 to have the property complied or be referred to legal with the full penalty fine of \$810.00. **Motion was seconded by Bob Raker**. Victoria Daniels, Bob Raker, Sarah Heggen, Scott Durham, Craig Wetzel and Dennis Groenenboom voted yes, and Carole Jones voted no. Motion was approved by the Board with a vote of 6-1.

208 Dickman Rd / Willow Park Apartments
Attn.: Cheryl Jarvis, Mgmt. Agent

JCR

HRC2018-02808

Cheryl Jarvis, management agent, **was present**. The Board discussed the listed violations. **Victoria Daniels moved** to give an extension to June 1st, 2019 to have the property complied or be referred to legal with the full penalty fine of \$1,080.00. **Motion was seconded by Bob Raker**. Victoria Daniels, Bob Raker, Sarah Heggen, Scott Durham, Craig Wetzel and Dennis Groenenboom voted yes, and Carole Jones voted no. Motion was approved by the Board with a vote of 6-1.

2221 Stanton Ave Bldg 3 / Stanton Estates, LLC

JCR

HRC2018-03238

Thomas Story, property representative, and **Tobias Cross**, management agent, **were present**. The Board discussed the listed violations. **Scott Durham moved** to refer the property to legal with the full penalty fine of \$5,000.00. **Motion was seconded by Craig Wetzel**. Victoria Daniels, Carole Jones, Sarah Heggen, Scott Durham, Craig Wetzel and Dennis Groenenboom voted yes, and Bob Raker voted no. Motion was approved by the Board with a vote of 6-1.

2221 Stanton Ave Bldg 1 / Stanton Estates, LLC

JCR

HRC2018-03239

Thomas Story, property representative, and **Tobias Cross**, management agent, **were present**. The Board discussed the listed violations. **Victoria Daniels moved** to refer the property to legal with the full penalty fine of \$5,000.00. **Motion was seconded by Carole Jones**. Victoria Daniels, Carole Jones, Sarah Heggen, Scott Durham, Craig Wetzel and Dennis Groenenboom voted yes, and Bob Raker voted no. Motion was approved by the Board with a vote of 6-1.

2221 Stanton Ave Bldg 7 / Stanton Estates, LLC

JCR

HRC2018-03240

Thomas Story, property representative, and **Tobias Cross**, management agent, **were present**. The Board discussed the listed violations. **Victoria Daniels moved** to refer the property to legal with the full penalty fine of \$5,000.00. **Motion was seconded by Carole Jones**. Victoria Daniels, Carole Jones, Sarah Heggen, Scott Durham, Craig Wetzel and Dennis Groenenboom voted yes, and Bob Raker voted no. Motion was approved by the Board with a vote of 6-1.

2221 Stanton Ave Bldg 9 / Stanton Estates, LLC

JCR

HRC2018-03241

Thomas Story, property representative, and **Tobias Cross**, management agent, **were present**. The Board discussed the listed violations. **Scott Durham moved** to refer the property to legal with the full

penalty fine of \$5,000.00. **Motion was seconded by Carole Jones.** Victoria Daniels, Carole Jones, Sarah Heggen, Scott Durham, Craig Wetzel and Dennis Groenenboom voted yes, and Bob Raker voted no. Motion was approved by the Board with a vote of 6-1.

2221 Stanton Ave Bldg 5 / Stanton Estates, LLC

JCR

HRC2018-03985

Thomas Story, property representative, and **Tobias Cross**, management agent, **were present.** The Board discussed the listed violations. **Victoria Daniels moved** to refer the property to legal with the full penalty fine of \$5,000.00. **Motion was seconded by Craig Wetzel.** Victoria Daniels, Carole Jones, Sarah Heggen, Scott Durham, Craig Wetzel and Dennis Groenenboom voted yes, and Bob Raker voted no. Motion was approved by the Board with a vote of 6-1

V. REQUESTS TO BE HEARD –

5211 Ovid Ave / Julie Calder, Remax Property Mgmt

JD

HRC2018-04519

Julie Calder, management agent, **was present.** The Board discussed the appeal. **Carole Jones moved** to uphold the penalty fine of \$480.00. **Motion was seconded by Victoria Daniels.** Victoria Daniels, Bob Raker, Sarah Heggen, Scott Durham, Carole Jones and Craig Wetzel voted yes, and Dennis Groenenboom voted no. Motion was approved by the Board with a vote of 6-1.

4112 E 14th St / M Gilberto Mata

ML

HRC2015-04879

Gilberto Mata, owner, **was present.** The Board discussed the appeal. **Sarah Heggen moved** to uphold the penalty fine of \$4,500.00. **Motion was seconded by Victoria Daniels.** Victoria Daniels, Bob Raker, Sarah Heggen, Scott Durham, Carole Jones and Craig Wetzel voted yes, and Dennis Groenenboom voted no. Motion was approved by the Board with a vote of 6-1.

VI. STATUS REPORT ON PROPERTIES REFERRED/TIME EXTENSION(S)

1. 3927 University Ave – Board gave until April 3rd, 2019 to have property complied or be referred to legal with Penalty Fine of \$1,875.00 – Property violations complied.
2. 1742 E Grand Ave - Board gave until April 3rd, 2019 to have property complied or be referred to legal with penalty fine of \$100.00 – Property did not comply and was sent to legal with the penalty fine.
3. 1338 E 18th – Board gave until May 1st, 2019 to have property complied or vacant, or be referred to legal with penalty fine of \$920.00.

- A. Moratoriums – None
- B. Appeal of Violations – None
- C. Appeals of Penalty Fines – None

- D. Variances – None
- E. Communication – None

VII. REPORTS - None

VIII. NEW BUSINESS - Jessica Spoden departure / New Assistant City Attorney

Jessica Spoden has accepted a position as Assistant City Attorney for West Des Moines. In the interim before a replacement is hired, Lawrence Dempsey will take the role of Assistant City Attorney.

- IX. OLD BUSINESS – None
- X. OTHER BUSINESS –None
- XI. ADJOURNMENT - Meeting adjourned at 7:57 p.m.