

Board of Building Standards and Building Appeals Hearing

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Agency: [Cleveland Board of Building Standards and Building Appeals](#)

Date: Jan. 20, 2021

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Summary

- There seems to be a knowledge gap among citizens when dealing with the procedures needed to work with the city.

Follow-Up Questions

- What kind of financial assistance is available for Cleveland residents to help get housing stock up to code?
- Does the city have education and outreach programs to inform residents about the process and procedures involved in violation abatement?
- How long have these board members been allowed to serve? What is the process for becoming a member?

Notes

Board members present: Joseph Denk, Chair; Howard Bradley, Robert Maschke, Patrick Gallagher, Dennis Matejka

Officials and staff present: Carmella Davis, Executive Secretary; Maurice Ruelens, Cleveland Planning Department; Tom Vanover, Building and Housing; Pat Aston, Law Department.

Live streamed video of this meeting can be found [here](#).

The agenda for this meeting can be found [here](#).

The meeting was called to order at 9:44 a.m. by Denk. The delay was caused by problems with the streaming link, as apparently not everyone had the same link. Davis

called the roll. Denk read the board preamble, which explains how the meeting would be conducted according to Robert's Rules of Order, and gave instructions on how to use the buttons on the streaming platform. Aston confirmed that the meeting was being streamed live and objected to the chat function. Davis started reading the docket.

Docket A-69-20 1274 E. 102 St., Ward 9, Councilman Kevin Conwell

The Entrust Group - Willie Levy, Owner, Notice of Violation - Interior/Exterior Property Maintenance

Levy is requesting one year to renovate and rehab a six-suite apartment building. The building is empty except for one tenant whom he cannot evict because of COVID restrictions. He believes that the violations the city wants repaired are a band aid approach. He said he wants to strip the building to the studs and rebuild but feels he can't because of the remaining tenant. He said he has plans that were not submitted to the city to rehab, and he is working with the housing department to evict the tenant.

Vanover disagreed with the request because the Notice of Violation had been in effect since Dec. 6, 2019, and no plans have been submitted for the city's review. Both he and Maschke believe that Levy could have been rehabbing the other five units while the sixth was still occupied.

Decision: The board gave Levy until March 1 to submit plans to the city for review and permits

Docket A-30-20 2204 Tate Ave., Ward 13, Councilman Kevin Kelley

Basma Hamid, Owner, Notice of Violation - Interior/Exterior Maintenance, Lead Notice - Dec. 26, 2019. Requesting time to complete lead abatement

The case was moved down docket because the appellant had trouble logging onto the link.

Docket A-66-20 19112 Firwood, Ward 10, Councilman Anthony Hairston - Rescheduled for Feb. 3

Docket A-67-20 4726 Wetzel Ave., Ward 15, Councilman Kevin Kelley

Karen Jones, Owner, Notice of Violation June 9, 2020, Exterior Maintenance

Neither Jones nor a representative was present on the livestream. She had requested six months to complete repairs on the violation. Aston asked if the violation notice had been returned to the board; Davis said no. Aston then asked if there had been any type of written or verbal communication between Jones and the board since the request for more time. Davis replied no. Vanover requested the property be remanded to the building department because the address was owner-occupied and she was not present

at the meeting.

Decision: Property remanded back to the City of Cleveland

Basma Hamid came online for Docket A-30-20 at 2204 Tate (see above). She had done all of the repairs listed in the violation notice and was waiting on the lead testing, which was scheduled for Jan. 20. She said the inspector was looking at the building repairs and requested more time for the lead abatement. Vanover stated that he has no paperwork from the inspector about repairs done on the property but would take her word for it. The board agreed to give her more time.

Decision: March 1 deadline to complete the repairs and abatement

Docket A-68-20 2488 E 82 St., Ward 6, Councilman Blaine Griffin

Rodney J. Reynolds, Notice of Violation - Condemnation Main Structure, dated April 14, 2020

Requesting one year to complete abatement of violations

Reynolds said he did not know he had permission to get started on renovations. He was waiting for the city to contact him. In the meantime, he had a new water line installed, some electrical work done, and replaced windows.

Vanover asked if the gas and water were on because they should not be. Reynolds replied that only the electricity was on. Vanover asked Reynolds if he was requesting more time or objecting to the violations. Reynolds stated that he didn't object to the violations, he just needed more time. Vanover said that Reynolds would have to apply for more permits. According to Ohio law, once the permits are approved, a property owner has 180 days to complete the work. He listed the permits Reynolds would need - building, electrical, HVAC, and plumbing. Reynolds still seemed unclear on the process and asked again if he would get more time if he secured the permits.

Decision: Granted until Feb. 15 to get permits

Docket A-70-20 2031 West 103 St., Ward 15, Councilmember Jenny Spencer

Robinson and Robinson Estates LLC Notice of Violation - Rental Registration/Exterior Maintenance, Dec. 13, 2019

Appellant had been present earlier but had lost contact with the board when the case was called.

The case was moved to the end of the docket.

Docket A-72-20 2137 West 95 St., Ward 15, Councilmember Jenny Spencer -

Decision: Withdrawn

**Docket A-73-20 3666 West 139 St., Ward 16, Councilmember Brian Kazy
Judith A. Muldoon, Owner, Notice of Violation - Exterior Maintenance, Jan. 10, 2020
Requesting six months to complete repairs on violations**

Muldoon was not present at the meeting. Aston asked Davis if the appellant had been properly notified and if she had been in contact with the board at all. Davis replied yes to the first question and no concerning communication from Muldoon. Vanover asked that the property be remanded to the city of Cleveland.

Decision: Property remanded to the city of Cleveland

At this point, Carmella Davis lost her Internet connection and Denk had to continue the reading of the docket

Docket A-74-20 3443 E 51 St. Ward 5, Councilmember Phyllis Cleveland

Decision: No Action

**Docket A-75-20 6001 Dibble Ave., Ward 7, Basheer Jones
Doresa Gray, Owner, Notice of Violation Condemnation of main structure and garage
Owner asking for permit for extension of time - Permit # B1801804 issued June 5,
2018**

Gray was represented by her son, Randy, who was sworn in by the chair. Aston asked if this was a zoning issue and was assured by Gray that this was a separate issue. Denk asked what the plan was. Gray stated that because of COVID they were having problems completing the work. He said his mother is a senior citizen on a fixed income and they are looking for financial assistance from Eaton or the Cleveland Housing Network. Some work has been completed, including electrical and trees cut down, but she is looking for 12 more months to complete the work. This is a financial issue, because the owner does not have enough money for the repairs. He said the family is attempting to complete the repairs themselves and the pandemic has slowed them down.

Vanover stated that the permits are 2 ½ years old and therefore invalid. By law, work has to be completed within 180 days. The permit was valid well before the pandemic started and work should have been completed.

He then said that the address is an investment property and not Doresa Gray's main residence so there may not be any financial assistance available.

Denk and Maschke made several suggestions, including closing out the project and remanding it to the city or getting new permits to start the clock again. Maschke asked if the project was stalled because of lack of workers or money. Reynolds replied that it was

the lack of money. There seemed to be a misunderstanding on the board about the case.

Vanover stated that nothing can be done about the abandoned project. The board could only agree or disagree about the appeal. Aston had not seen the appeal paperwork, and this would affect how the city rules on the appeal. She asked Vanover and Gray what had been submitted during the appeal and neither could give her an answer. She requested any information available from Davis, who read a letter dated Feb. 12, 2020. He did not reply within the seven-day deadline, so the project was invalid. Davis replied that she did not have the envelope and that the seven-day period would begin when he received the letter. Aston replied that she wasn't saying the appeal wasn't in time. Vanover said he had received no notice of inspection or repair. Gray stated that much work had been done since the letter and asked that the city send out an inspector. Vanover stated that the city does not operate that way and the property would be considered condemned until everything was complete.

Once again Denk asked if there was a way forward by invalidating the current permits and getting new ones, giving him until March 1 to get them. Vanover replied there could be no new permits or more time.

Decision: Permit #B1801804 was ruled invalid because it was beyond the 180-day deadline

**Docket A-52-20 7026 Wade Park, Ward 7, Councilmember Basheer Jones
Charles Ficklin - CNT Construction, Notice of Violation, Condemnation of structure**

This case was continued from Dec. 9, 2020.

Ficklin wanted 90 days from start to finish in razing the structure. He believes there is a backlog because of COVID and he can't get the permits in a timely fashion.

Vanover said he personally reviews all permits and there is no waiting period or backlog for permits to raze properties. He wanted 30 days for the permit.

The board decided to split it down the middle and give Ficklin 60 days to complete the project. Ficklin asked about a property where dumping was occurring next to his and was told it could not be addressed at this meeting and to call the city complaint line.

Decision: Given until April 15, 2021, to complete the project

**A-70-20 2031 West 103 St., Ward 13, Councilmember Jenny Spencer
Robinson and Robinson Estates LLC, Tasha White, Owner
Notice of Violation of Rental Registration and Exterior Maintenance, Dec. 13, 2019,
Requesting more time to correct violations**

Denk asked for a plan. White said she could not get work completed because she could not find contractors because of COVID-19. Denk asked about permits. Vanover asked if she had any inspections done. White replied that she did not believe she needed permits or an inspection. She said she lives in Georgia and her last contractor took her deposit but did not complete the job. She wants an extension until summer so that she can travel here, find contractors, and personally supervise the job.

Vanover asked if she had a local manager. He said laws require a person living in another state to have a local contact. He stated that the inspectors' contact information is included on the violation notice and that the notice was issued in December 2019, so the pandemic is no excuse. He then stated that as an investment property certain standards are supposed to be maintained and the property should not have been allowed to deteriorate to that level.

White became defensive. She said some work had been done and that she was a single mother and was really a sole proprietor using her hard-earned money to repair the property. She was having problems with her contractors. Her local contact, who lives in one of the suites on the property, was there to keep the grass cut and to ensure no break ins occurred.

Aston replied that she had incorporated as an LLC, so she has the responsibilities as well as the benefits. Maschke said White should be able to find a contractor because he was currently building three houses right now and had no trouble finding them even in winter. White retorted that contractors will often drop small jobs like hers in order to work on big projects.

The board decided that she could/should come up soon because Cleveland is having a mild winter and she could come for a few days at a time and supervise the work. White asked if she could apply for more time if needed after the time given expired. The answer was yes.

Decision: Deadline April 1, 2021, to complete work

The board adopted Resolutions A-51-20 through A-64-20 (see [agenda](#) for the list).

Minutes from the Dec. 9 meeting approved.

Links

[City of Cleveland Building Codes and Legislation](#)

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