

Code & License Appeals Board
Wednesday, June 3, 2026
3:00 pm
Appeal Hearing
Property Maintenance Fines & Fees
906 N 5th and 118 S 8th Street
Council Chambers
Minutes

Board Members Attending: M Cianciosi, C. Miller, J. Famiglietti, C. Cervantes – in person

Others Attending: M. Mayfield, Esq., L. Kelleher, G. Marte, C. Reed, Court Reporter – in person and A. Henriquez and BCTV - virtually

Mr. Cianciosi called the hearing to order at 3:06 pm. The Board members and staff present introduced themselves.

Mr. Cianciosi asked Ms. Mayfield to conduct the hearing.

Ms. Mayfield stated that she is solicitor to this board. She explained that the purpose of the hearing is to hear Mr. Henrique's appeal of non-compliance to various Property Maintenance regulations and the resulting fines and fees associated with the non-compliance. She inquired if there is anyone present with standing to testify, besides Mr. Henriquez.

Ms. Mayfield stated that there are no members of the public present. Ms. Kelleher stated that the only virtual attendee, besides Mr. Henrique, is BCTV.

Appeal Hearing

Ms. Mayfield entered the following exhibits into the record:

1. Property Maintenance Appeal form with a denial
2. Public hearing notice – May 27, 2026
3. City Code Chapter 29, Part 14 Code and License Appeals Code
4. City Code Chapter 308 Housing
5. City Code Chapter 212 Fee Schedule

Ms. Kelleher administered the oath to PMI Supervisors Marte and Reed. She also administered the oath to Mr. Henriquez, the appellant.

There were no objections to the documents entered on the record.

Ms. Mayfield explained the hearing procedure listed on the agenda.

Public Comment

None.

**Appeal Hearing – 906 N 5th St & 118 S 8th St, Andres Henriquez (owner)
Unpaid Work Orders, QoL Violations, and Housing and Inspections Fines/Fees**

Ms. Mayfield asked the Property Maintenance Supervisors to make their presentation.

906 N 5th St

Mr. Marte stated that Mr. Henriquez purchased this 4-unit property in 2006. He explained that rental properties require an inspection every 2-3 years and they must pay a rental registration fee annually.

Mr. Marte stated that Mr. Henriquez did not allow the inspection to occur until 2012 and The property was brought into Code compliance in 2013. The inspection notice was sent in 2023 but access to the property did not occur until 2024. The property was brought into compliance after 3 re-inspections. He referred to the packet providing detail on he delinquent fines/fee distributed at the hearing and to Mr. Henriquez via email. He explained that the packet shows the fees paid for work orders to address Quality of Life issues, No Show charges for scheduled inspections, fines for failure to register the property and various penalties totaling \$20,839.06. He stated that all bills were mailed to Mr. Henriquez's address listed as 906 N 5th St. as the charges and fines were incurred.

Mr. Marte stated that Mr. Henriquez filed an appeal with Property Maintenance for all the charges and fines at both properties on April 20, 2026 and the Property Maintenance Supervisor denied that appeal on April 27, 2026. He added that there were additional fees and fines assessed since the denial of the initial appeal.

In response to a question from Ms. Mayfield, Mr. Henriquez stated that he has no questions about the information conveyed by Mr. Marte.

In response to a question from Ms. Mayfield, Mr. Marte affirmed that the information contained in the packet is true and correct.

Ms. Mayfield entered Exhibit 6 into the record – the packet labeled 906 N 5th St containing the fees charged by the City to resolve Quality of Life issues that Mr. Henriquez failed to address after a period of time, No Show charges for scheduled inspections, fines for failure

to register the property and various penalties totaling \$20,839.06.

In response to a question from Ms. Mayfield, Mr. Henriquez stated that he objects to this exhibit being entered into the record as he believes many of the charges are duplicated.

Ms. Mayfield stated that this is an invalid objection and she asked the Board to consider overruling the objection.

Mr. Famiglietti moved, seconded by Mr. Ciansiosi, to override Mr. Henriquez's objection to the entry of the packet into the record. The motion was approved unanimously.

Mr. Henriquez expressed that the packet contains duplicate fees for the same service. He noted his bankruptcy in 2017. The bankruptcy packet was provided to the Board, Solicitor and Property Maintenance Supervisors.

Ms. Mayfield asked Mr. Henriquez to confirm the page showing documentation of the City's receipt of the bankruptcy and to identify which charges are duplicates. Mr. Henriquez stated that he cannot confirm that the City received notice of the bankruptcy and he is unable to identify which charges are duplicates, but he expressed the belief that mathematical errors were made when calculating the total due.

Ms. Mayfield reminded Mr. Henriquez that during an appeal, the appellant bears the burden of proof for claims made.

In response to a question, Mr. Henriquez stated that 906 N 5th St. was his permanent address until two years ago. He added that he now resides in Temple, PA.

Mr. Reed confirmed that all notices, bills and fines were mailed to 906 N 5th Street, until June 9, 2025 when Mr. Henriquez changed his mailing address to a PO Box.

Mr. Henriquez confirmed receipt of notices, bills and fines. He added that during the Blighted Property process, Ms. Schuering eliminated some of the fees for work orders and fines. However, he could not identify the fees and fines eliminated.

118 S 8th St

Mr. Marte stated that 118 S 8th was purchased by Mr. Henriquez in 2008, as a five-unit rental. He stated that the packet labeled 118 S 5th contains similar information to the 906 N 5th St. packet with an itemization of unpaid fees, fines and charges for 118 S 8th St. totaling \$25,745.

Mr. Henriquez stated that he obtained a zoning permit when he purchased the properties so

he should not be required to pay an annual rental housing fee.

Ms. Mayfield explained the difference between obtaining a one-time zoning permit and an annual rental registration fee.

Mr. Henriquez again noted his 2017 bankruptcy and the release he received from the bank. Ms. Mayfield explained that bankruptcy does not eliminate or release fines, fees, and other charges.

In response to a question from Ms. Mayfield, Mr. Henriquez stated that he has no questions.

Ms. Mayfield entered Exhibit 7 - the packet labeled 118 S 8th St containing the fees paid for work orders to address Quality of Life issues, No Show charges, fines for failure to register the property and various penalties totaling \$25,745.

Mr. Henriquez objected to the entry of the Exhibit, noting that he cannot see the document.

Ms. Mayfield asked Ms. Kelleher to confirm that she emailed both property packets to Mr. Henriquez. Ms. Kelleher confirmed and added that those documents are also available on The website under Code and License Appeals Board.

In response to a question, Mr. Henriquez stated that he owns three additional rental properties and he is aware of the need to pay the fines, fees and charges at those properties. He stated that he assumed that the charges for these two properties were eliminated through the bankruptcy.

Ms. Mayfield again explained that bankruptcy does not eliminate or release fines, fees, and other charges.

Mr. Henriquez stated that the bankruptcy forced the foreclosure of the two properties and he challenges the fees and charges at this time.

Ms. Mayfield explained that an appeal must be filed within 15 days after receipt of a fine, charge or fee, noting that the appeal period has passed for these properties.

In response to a question, Mr. Reed confirmed that the two packets do not contain duplicates or errors.

Ms. Mayfield asked Mr. Henriquez if this appeal hearing provided him with a fair opportunity. Mr. Henriquez stated that it did not as this time of day was very inconvenient for him.

Ms. Mayfield asked if Mr. Henriquez asked Mr. Marte for an alternative say or time. Mr. Henriquez stated that he did not make that request.

Mr. Marte, Mr. Reed and the court reporter were excused and Mr. Henriquez and BCTV were placed on hold so the Board could deliberate in executive session.

At the end of the executive session, all parties were called back.

Mr. Miller moved, seconded by Mr. Ciancosi, to deny the appeal of the charges totaling \$20,839.06 assessed to 906 N 5th St due to the expiration of the appeal period. The motion was approved unanimously.

Mr. Ciancosi moved, seconded by Ms. Cervantes, to deny the appeal of the charges totaling \$25,745 assessed to 118 S 8th St due to the expiration of the appeal period. The motion was approved unanimously.

Mr. Ciancosi asked Mr. Henriquez to consider going onto a payment plan with the City.

All parties were excused.

Ms. Mayfield asked the Board to amend the agenda to allow for a discussion about the need to amend the ordinance.

Mr. Ciancosi moved, seconded by Ms. Cervantes, to approve the amendment of the agenda. The motion was approved unanimously.

Ms. Mayfield asked the board to consider expanding the period to provide a decision from 10 to 30 days.

Ms. Cervantes moved, seconded by Mr. Ciancosi, to approve the request for an ordinance amendment, as requested. The motion was approved unanimously.

Mr. Ciancosi moved, seconded by Ms. Cervantes, to adjourn the hearing at 4:27 pm.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk