

City of Reading
Blighted Property Review Committee
Determination Hearing
Thursday, July 16, 2009
Council Chambers

Committee Members Attending: L. Olsen, A. Grant, M. Wolfe, M. Candelario, D. Luckey, W. Bealer

Others Attending: L. Kelleher, J. Kromer, M. Mayfield, D. Wright, S. Franco, B. Reinhart, M. Lessar, C. Cooper

Call to Order

Lee Olsen, Chair, called the hearing to order at 6:11 p.m.

Purpose

Mr. Olsen stated that this hearing is being held in accordance with the Commonwealth of Pennsylvania Urban Redevelopment Law of 1945, as amended, and the City of Reading Blighted Property Review Committee Ordinance #65-2006 ("Ordinance"). The City of Reading has determined that the properties listed on this agenda meet the legal definition of "blight" by exhibiting one or more of the following nine conditions listed in the Ordinance.

As prescribed by the Ordinance, the City of Reading's Blighted Property Review Committee (BPRC) is meeting to review the reports of the Building/Trades Division and the Property Maintenance Division on your property to determine whether it, in fact, meets the definition of blight.

As described in the Ordinance, if your property is determined to be blighted, the BPRC will issue an Order in which you will be granted 60 days to rehabilitate the property, correct/remove the cause of blight determination, or follow the designated alternative remedy. At the hearing the BPRC shall render a final Order which shall be mailed to the persons affected. If you fail to comply with the BPRC Order and do not request a hearing, or if after a requested hearing and adverse final Order without an appeal, or after other adverse final appeal determination, the property will then be certified to the Redevelopment Authority of the City of Reading (Authority) for acquisition of the property through a voluntary sale or the use of the Authority's power of eminent domain.

Mr. Olsen described the Blighted Property Review Committee's (BPRC) work to get to this first hearing. He stated that Solicitor to the BPRC, Michelle Mayfield will conduct the hearing.

Ms. Mayfield entered the agenda with all its attachments into the record. The attachments include but are not limited to hearing advertisement, sample letter to property owners, posting notices for each property, Determination Sheets on each property, Assessment Sheets on each property, and tax, water, utility, property tax and codes information on each property.

212 South 8th Street - Owned By 212 South Eighth Street Ltd, Isaac Teitelbaum, President, 1831 E 27th St Brooklyn NY 11229 - purchased March 2006

Ms. Mayfield asked City Staff and any member of the public who will be giving testimony to rise. The court reporter administered the oath to Mr. Franco, Mr. Cooper, Mr. Reinhart, and Lt. Lessar from the City. Ms. Kelleher stated that the property owner was not present and no one signed in to present public comment.

Finding of Fact - City

Mr. Franco stated that he is the Chief Building Inspector for the City. He stated that he has obtained all required State certifications. He stated that he has been employed by the City for 17 years and has been employed in the Trades Division for 13 years.

Mr. Franco stated that a letter was mailed to the property owner of 212 South 8th Street in November 2008 requesting a full Codes and Trades inspection. The property owner rescheduled the inspection and was a no show on the new inspection date.

Lt. Lessar stated that he has been with the Fire Department for 13 years and has worked in the Fire Marshall's Division for 16 months. He described his certifications and licenses. He stated that a first class letter was mailed to the property owner requesting a full inspection. The first class letter was returned and a certified letter was sent in its place. The certified letter was not returned by the time of the inspection; however, the property owner was a no show. The certified letter was returned several days later.

Mr. Franco and Lt. Lessar stated that they sought an administrative search warrant from a Magisterial District Judge in June 2009 and subsequently conducted a full fire and trades inspection of the property.

Lt. Lessar reported that the building is filled with combustible material. An inspection of the fire alarm and sprinkler system showed that the alarm system is disabled and the sprinkler system is not functioning. He stated that much of the sprinkler system heads, pipes and fittings have been removed. He also stated that there is heavy evidence of squatters residing in the building. Bedding, burned out mattresses and evidence of fires used for heat were observed. It was also noted that the building was unsecured.

Lt. Lessar stated that this property presents a safety hazard to this neighborhood due to combustible material stored in the building, the building's proximity to neighboring properties and its lack of a working fire alarm and sprinkler system. He noted that if a fire started, the fire would grow until someone reported it to the Fire Department; by that time the building would be engulfed in flames and present grave danger to the City's firefighters.

Ms. Mayfield entered photographs of the interior into the record.

Mr. Reinhart stated that he has been the Codes Administrator in the Property Maintenance Division for three and one half (3 1/2) years. He stated that he has ten (10) years construction experience. He described his State certifications. He stated that he has reviewed the files for this property and described the numerous codes violations and citations issued to the property owner.

Mr. Cooper stated that he is an intern in the Community Development (CD) Department charged with the assignment to research liens, water payments, and tax and codes information on this property. He stated that this property has approximately \$9,700 in liens, owes approximately \$67,000 in water bills, owes \$20,699 in City property taxes and \$11,931 in County property taxes. This property is scheduled for Upset Sale in September 2009.

Testimony from Property Owner

Ms. Mayfield inquired if the property owner wished to present testimony. There was no response.

Public Comment

Ms. Mayfield inquired if anyone from the public wished to testify about this

property. There was no response.

BPRC Decision

Mr. Olsen asked the BPRC to consider entertaining a motion to determine 212 South 8th Street as a blighted property. He asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

Ms. Mayfield asked the BPRC to excuse Lt. Lessar, as he was not testifying on the other properties under consideration at this hearing. Lt. Lessar was excused from the hearing.

317 Schuylkill Avenue - Owned by Mercedes I. Spradley, 413 ½ Queens Lancaster PA - purchased May 1994

Ms. Mayfield asked City staff who would be presenting testimony and members of the public who would be presenting testimony to rise. The court reporter administered the oath to Mr. Franco, Mr. Cooper, and Mr. Reinhart.

Finding of Fact - City

Ms. Mayfield had Mr. Franco restate his experience, years of service and credentials.

Mr. Franco stated that he mailed a letter requesting a full property inspection to the owner of 317 Schuylkill Avenue in November 2008. The letter was not returned but the property owner failed to appear for the scheduled inspection. In June 2009 a letter was mailed to the property owner notifying him to abate the violations or demolish the property within 30 days. The certified letters were returned as unclaimed but the first class letters were not returned. Again the property owner failed to appear. Mr. Franco stated that he did a visual exterior inspection of the property and he determined that the property owner did not comply with the previously stated order. However, he noted his belief that the exterior of the building seemed stable.

Ms. Mayfield had Mr. Reinhart restate his experience, credentials and years of service.

Mr. Reinhart stated that the building was found unfit for human habitation in 2006 and placarded as such. He noted the various codes violations and citations against this property.

Ms. Mayfield had Mr. Cooper restate his position with the City.

Mr. Cooper stated that this property has one lien for \$447.69. This property owes \$607.05 in City property taxes. The property was sold at the June 2009 tax sale. The property has eleven (11) violation notices/citations dating back to 2002.

Mr. Olsen inquired about the date the building was condemned. Mr. Reinhart stated that unfit conditions were identified as early as 2002. The building was placarded in 2006.

Mr. Franco stated that in March 2009 a certified letter was mailed to the property owner asking him to bring the property into compliance or demolish within 30 days. Compliance did not occur. He also stated that the file shows trades permits pulled in 1972, 1985 and 1987.

Testimony from Property Owner

Ms. Mayfield asked the property owner to come forward to testify. No one responded.

Public Comment

When Mr. Olsen opened the floor for public comment, Celia Garcia came forward and stated that this property was purchased at the June tax sale. She stated that the new owner was asked to attend this hearing but chose not to attend. Ms. Garcia expressed the belief that new owner is working to restore the property.

Mr. Olsen stated that the property must be in compliance within 60 days. If the property is not compliant at the Certification Hearing, it will move forward to eminent domain. The date of the Certification hearing is September 17, 2009.

BPRC Decision

Due to the findings and testimony from City staff, Mr. Olsen moved to determine 317 Schuylkill as a blighted property. He asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

Ms. Mayfield announced that Rehabilitation Agreements may be obtained from Ms. Kelleher. She explained that the agreements show the work to be completed and the date of completion.

118 West Elm Street - Owned By Steven Roberson, PO Box 1574, Allentown PA 18105 - no purchase date listed

Ms. Mayfield asked City staff and members of the public planning to testify to rise. The court reporter administered the oath to Mr. Franco, Mr. Cooper, and Mr. Reinhart.

Findings of Fact - City

Ms. Mayfield had Mr. Franco restate his experience, credentials and years of service.

Mr. Franco stated that this property owner signed a waiver for demolition. The date of demolition will be set according to City policy and procedure.

Ms. Mayfield had Mr. Reinhart restate his credentials, experience and years of service.

Mr. Reinhart stated that this property has had twelve (12) violation notices and citations dating back as far as 2002. This property was listed at the June 2009 tax sale. He also noted the many times that Property Maintenance attempted to inspect the property. He stated that the Property Maintenance Division received a letter from the property owner noting that although the property needs complete rehabilitation, he does not have funding to undertake the rehabilitation.

Ms. Mayfield had Mr. Cooper restate his position with the City.

Mr. Cooper stated that liens totaling approximately \$7,700 were filed against the property. The property has a water account balance of \$1,785.17. City property taxes are delinquent since 2005, for a total of \$1,553.13. Delinquent County and School taxes owed between 1993 and 2008 are \$8,775.48.

Testimony from Property Owner

Mr. Olsen inquired if the property owner was present. No one came forward.

Public Comment

Mr. Olsen inquired if anyone wished to comment about this property. No one came forward.

BPRC Decision

Due to the findings and testimony from City staff, Mr. Olsen moved to determine 118 West Elm Street as a blighted property. He asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

343 McKnight Street - Owned by Buy We Will, LLC, Paul Oriol, President, 157 N Front Street, Reading - purchased September 2005

Ms. Mayfield asked City staff and members of the public planning to testify to rise. The court reporter administered the oath to Mr. Franco, Mr. Cooper and Mr. Reinhart, along with Lissette Chevalier and Willie Abreu, representing the property owner.

Findings of Fact - City

Ms. Mayfield had Mr. Franco restate his credentials, position and years of service.

Mr. Franco stated that he mailed a letter requesting a full inspection of the property in November 2008. The property owner permitted the inspection. He stated that the property is in stable condition but the interior requires complete rehabilitation before it can be inhabited. The property was not in compliance after a 30 day recheck. He stated that the garage is completely burned out. A rehab or demolish order was issued but no action was undertaken by the property owner. No requests for appeal are in the property file.

Ms. Mayfield had Mr. Reinhart restate his credentials, experience and years of service.

Mr. Reinhart described the numerous property maintenance issues with this property, the numerous citations filed against the property and the numerous work orders to clean away rubbish and debris from the property, dating back to 2000.

Ms. Mayfield had Mr. Cooper restate his position with the City.

Mr. Cooper stated that although the property has no liens, \$10,842.37 is owed to the Water Authority. Delinquent City property taxes total \$1,348.16. County and School taxes due total \$609.12.

Testimony from Property Owner

Mr. Olsen inquired if the property owner was present. Lissette Chevalier and Willie Abreu stepped forward and stated that they had a letter from the property owner authorizing them as the property managers for 343 McKnight Street and 157 North Front Street and authorizing them to speak on his behalf. They stated that the property owner assigned the management duties of eight (8) properties to them. The letter was presented and entered into the record. (Note: the letter is improperly notarized under Pa regulations)

Ms. Kelleher stated that in Pennsylvania property managers are required to have either a broker's license or work in a licensed broker's office. She inquired if Ms. Chevalier or Mr. Abreu have the proper credentials. Ms. Chevalier and Mr. Abreu stated that they do not have the required credentials. They requested Rehabilitation Agreements for each property. Ms. Mayfield explained the Rehabilitation Agreements.

Mr. Olsen explained the issues that allow the property to be legally determined as blighted.

Public Comment

Mr. Olsen inquired if anyone wished to comment about this property. No one came forward.

Decision of the BPRC

Due to the findings and testimony from City staff, Mr. Olsen moved to determine 343 McKnight Street as a blighted property. He asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

157 North Front Street - Owned by Buy We Will, LLC, Paul Oriol, President, 157 N Front Street, Reading – purchased September 2005

Ms. Mayfield asked City staff and members of the public planning to testify to rise. The court reporter administered the oath to Mr. Franco, Mr. Cooper, and

Mr. Reinhart, along with Lissette Chevalier and Willie Abreu.

Findings of Fact - City

Ms. Mayfield had Mr. Franco restate his credentials, experience and years of service.

Mr. Franco described the letter mailed to notify the property owner about the date for a full property inspection. The property owner was a no show. He stated that he visually inspected the exterior of the property and the building appeared to be in no danger of collapse. However, he noted that he was unable to inspect the interior of the building.

Ms. Mayfield had Mr. Reinhart restated his credentials, experience and years of service. He described the array of codes violations, citations and work orders to abate the property since 2004. He stated that the property was condemned in February 2007.

Ms. Mayfield had Mr. Cooper restate his position with the City.

Mr. Cooper stated that one lien for \$76 has been filed. The property has a past due balance of \$123.25 with the Water Authority. Delinquent City property taxes total \$928.74. County and School delinquent property taxes total \$456.41.

Mr. Olsen inquired about the condemnation. Mr. Reinhart stated that the property was found to be unfit for human habitation.

Testimony from Property Owner

Ms. Chavalier and Mr. Abreu stated that they are the authorized property managers and are working to rehabilitate the properties. They stated that the property owner is ill at his New York home.

Ms. Mayfield explained the Rehabilitation Agreement. Mr. Olsen noted the need for the rehabilitation of the properties to be completed within 60 days. He stated that he admires their willingness to undertake this project.

Ms. Kelleher noted that the property owner lists his place of residence and business address as 157 North Front Street. She questioned how he could live or conduct his business at a condemned property. Ms. Chevalier stated that she and Mr. Abreu are now the property managers and the management business is conducted from Ms. Chevalier's home. Ms. Kelleher asked Ms. Chevalier to

provide the correct mailing address of the property owner. Ms. Chevalier declined.

Public Comment

Mr. Olsen inquired if anyone wished to comment about this property. No one came forward.

Decision of the BPRC

Due to the findings and testimony from City staff, Mr. Olsen moved to determine 157 North Front Street as a blighted property. He asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

360 McKnight Street - Owned by Shelia Perez, 612 Weiser Street, Reading – purchased November 2002

Ms. Mayfield asked City staff and members of the public planning to testify to rise. The court reporter administered the oath to Mr. Franco, Mr. Cooper, and Mr. Reinhart.

Findings of Fact - City

Ms. Mayfield had Mr. Franco restate his credentials, position and years of experience.

Mr. Franco stated that the property owner was mailed an inspection notice in November 2008. During the inspection Mr. Franco noted that some rehabilitation has been completed on the upper floors; however, the property lacks mechanicals, plumbing and electric. The notice for a re-inspection was returned.

Ms. Mayfield had Mr. Reinhart restate his credentials, position and experience.

Mr. Reinhart stated that this property has 17 violations dating back to 2004.

Ms. Mayfield had Mr. Cooper restate his position with the City.

Mr. Cooper stated that property has liens totaling \$2,409.35. The property has a water delinquency totaling \$1,472.03. City property taxes have accumulated to \$1,495.04 and School and property taxes outstanding total \$949.23. He stated

that the property is scheduled for Upset sale in September 2009.

Testimony from Property Owner

Mr. Olsen stated that the property owner is in Puerto Rico until August. Staff met with the property owner on July 2nd to discuss the property. A letter from the property owner is attached to the agenda, which will serve as the statement from the property owner. Mr. Olsen stated that the property owner was provided with a Rehabilitation Agreement. Ms. Kelleher noted that the property owner has not returned the agreement by July 17th as instructed.

Mr. Luckey inquired when the property was purchased by the current owner. Mr. Cooper stated that the property was purchased by the current owner in 2002. Tax delinquencies started in 2003.

Mr. Olsen inquired if the mechanicals, plumbing and electric are missing or are inoperable. Mr. Franco stated that most are inoperable and are in need of replacement before the property is inhabitable.

Public Comment

Mr. Olsen inquired if anyone wished to comment about this property. No one came forward.

Decision of the BPRC

Due to the findings and testimony from City staff, Mr. Olsen moved to determine 360 McKnight Street as a blighted property. He asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

210 North Front Street - Owned by Brito Amado, 162 North Front, Reading – property purchased by Almonte Simon L Aquino- 1239 Butler St Reading PA 19601 June 29, 2009

Ms. Mayfield asked City staff and members of the public planning to testify to rise. The court reporter administered the oath to Mr. Franco, Mr. Cooper, and Mr. Reinhart, along with Almonte Simon L. Aquino.

Findings of Fact - City

Ms. Mayfield had Mr. Franco restate his credentials, position and years of service.

Mr. Franco stated that an inspection notification was mailed to the property owner in November 2008. The letter was not returned but the property owner was a no show. A certified letter sent in March 2009 issuing a 30 day notice to rehab or demolish was returned as undeliverable. He stated that he visually inspected the exterior of the building and noted the existence of new windows. He stated that the last building permit pulled was for drywall, and new windows. He stated that the exterior of the building appears stable.

Ms. Mayfield had Mr. Reinhart restate his credentials experience and position.

Mr. Reinhart stated that 16 property maintenance violations have occurred since 2006. No appeals have been filed or requested.

Ms. Mayfield had Mr. Cooper restate his position with the city.

Mr. Cooper stated that this property does not have liens, but has a delinquent water balance of \$280.49. City property taxes have been delinquent since 2004 and total \$1,296.31. County taxes have a delinquent balance of \$227.98. He noted that this property was purchased by a new owner at the June tax sale.

Mr. Luckey questioned the status of the property as it had a new owner. Ms Mayfield replied that the process follows the property, not the property owner.

Testimony from Property Owner

Mr. Simon L. Aquino, the new property owner, stepped forward to testify. He was assisted by Ms. Garcia. Through Ms. Garcia, Mr. Aquino announced his intent to rehabilitate the property.

Mr. Olsen inquired if Mr. Aquino has pulled the proper rehab permits. Through Ms. Garcia, Mr. Aquino stated that he intends to acquire the proper permits.

Mr. Olsen noted the availability of Rehabilitation Agreements. He noted the need for the rehabilitation to be completed within 60 days. Ms. Kelleher provided Mr. Aquino with a Rehabilitation Agreement. Ms. Garcia explained Mr. Olsen's instructions and the terms of the agreement.

Public Comment

Mr. Olsen inquired if anyone wished to comment about this property. No one came forward.

Decision of the BPRC

Due to the findings and testimony from City staff, Mr. Olsen moved to determine 210 North Front Street as a blighted property. He asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

228 North 2nd Street - Owned by Edward Holt and Cherri Rohrbaugh, 228 North 2nd, Reading - no purchase date listed – may have been sold at June 17th Tax Sale

Ms. Mayfield asked City staff and members of the public planning to testify to rise. The court reporter administered the oath to Mr. Franco, Mr. Cooper, and Mr. Reinhart, along with Celia Garcia

Findings of Fact - City

Ms. Mayfield had Mr. Franco restate his credentials, position and years of service.

Mr. Franco stated that an inspection notice was mailed to the property owner in November 2008 via certified letter and first class mail; however, both were returned. A notice to rehab or demolish within 30 days was mailed certified and first class and both were returned. An exterior inspection was performed on July 15th. Although the property appears to be somewhat run down, it appears stable. Mr. Franco stated that the property owner failed to appeal the 30 day notice.

Ms. Mayfield asked Mr. Reinhart to restate his credentials, experience and position.

Mr. Reinhart stated that an array of property maintenance violations and citations began in 2004. Work orders to abate the problems total over \$1,000. Mr. Reinhart stated that four (4) work orders were issued to abate problems at the property.

Ms. Mayfield had Mr. Cooper restate his position with the City.

Mr. Cooper stated that liens totaling \$1,755.73 have been filed. The water service has been disconnected due to delinquency. Delinquent City property taxes total

\$2,142.88. He noted that the property sold at the June tax sale to Celia Garcia. Mr. Cooper stated that staff met with Ms. Garcia on July 2nd to discuss the rehabilitation of the property. Ms. Garcia was asked to submit her completed Rehabilitation Agreement before the hearing; however, the agreement has not been submitted.

Testimony from Property Owner

Ms. Garcia noted her intent to rehabilitate and reside in the property. She noted the letter sent by the County Tax Office informed her not to undertake property improvements until the deed is officially transferred.

Mr. Grant inquired if liens are eradicated at tax sale. Ms. Mayfield stated that liens are only removed if the property is sold at the free and clear sale.

Mr. Olsen questioned the nature of the work orders. Mr. Reinhart stated that the work orders were for weeds, trash removal and securing the property. He added that 1.1 tons of trash was removed from this property.

Ms. Mayfield asked Mr. Reinhart how the property maintenance code addresses properties without water service. Mr. Reinhart stated that properties without water service are deemed as unfit for human habitation by the Property Maintenance Code.

Ms. Garcia noted her inability to obtain property insurance due to the condition of the property. She again noted her intent to rehabilitate the property. Although she noted that as she only receives one check per month, her finances are a bit strained. Ms. Garcia submitted her Rehabilitation Agreement at the hearing.

Ms. Mayfield recommended an affirmative vote to continue the process on this property.

Ms. Kelleher informed Ms. Garcia that the agreement is incomplete as it is missing completion dates and contactor information. She handed the agreement back to Ms. Garcia and instructed her to resubmit the agreement by next week.

Public Comment

A woman from the back of the room stood and stated that Ms. Garcia did not know what she was getting into. The woman did not state her name.

Decision of the BPRC

Due to the findings and testimony from City staff, Mr. Olsen moved to determine 228 North 2nd Street as a blighted property. He asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

127 Walnut Street - Owned by Sandra Greer, 15 W Oak St Norristown – no purchase date listed

Ms. Mayfield asked City staff and members of the public planning to testify to rise. The court reporter administered the oath to Mr. Franco, Mr. Cooper, and Mr. Reinhart.

Findings of Fact - City

Ms. Mayfield had Mr. Franco restate his credentials, position and years of service.

Mr. Franco stated that the inspection notice was mailed to the property owner in November 2008, certified mail. The notice was returned as undeliverable. A certified notice to rehab or demolish within 30 days was returned as unclaimed. An exterior inspection of the building was conducted and the exterior of the building appears to be stable. No appeal of the notice was filed or requested.

Ms. Mayfield had Mr. Reinhart restate his credentials, experience and position.

Mr. Reinhart stated that twelve (12) violation notices and citations were issued on this property since 2006. No notices of condemnation were issued.

Ms. Mayfield had Mr. Cooper restate his position with the City.

Mr. Cooper stated that liens totaling \$5,705.82 were filed on this property. Although School and County property taxes are not delinquent, delinquent City property taxes total \$748.94. The property has a delinquent water balance totaling \$970.10.

Testimony from Property Owner

Ms. Kelleher stated that the owner's attorney called the Council office late this afternoon. She stated that someone representing the property owner approached her before the hearing and requested a Rehabilitation Agreement. Ms. Kelleher

stated that she provided a Rehabilitation Agreement to the person representing the property owner and explained that the completed agreement needs to be submitted by next week.

Public Comment

Mr. Olsen inquired if anyone wished to comment about this property. No one came forward.

Decision of the BPRC

Due to the findings and testimony from City staff, Mr. Olsen moved to determine 127 Walnut Street as a blighted property. He asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

153 Walnut Street - Owned by Ronald Heckman, 4677-6 Indian Creek Rd, Macungie – purchased March 1994

Ms. Mayfield asked City staff and members of the public planning to testify to rise. The court reporter administered the oath to Mr. Franco, Mr. Cooper, and Mr. Reinhart, along with Ronald Heckman.

Findings of Fact - City

Ms. Mayfield had Mr. Franco restate his credentials, position and years of service.

Mr. Franco stated that an inspection notice was mailed to the property owner in November 2008. The property owner failed to appear at the time of the stated inspection. A 30 day notice to rehab or demolish was sent to the property owner in March 2009. The letter contained instruction on how to appeal the notice. The property owner failed to follow the Mr. Franco's instructions to appeal and responded with an inappropriate letter received by Mr. Franco at the end of March. The letter was entered into the record. Mr. Franco stated that he was surprised with the attitude taken by the property owner as he had never met or worked with him.

Mr. Franco stated that he conducted an exterior inspection of the property in July 2009. He noted damage to the mansard roof and some rotted trim work. He noted that the trim work is starting to detach from the building and could injure a pedestrian if it falls. He also noted several unpainted exterior wooden surfaces

and the overgrown backyard. He also described the work undertaken by the City to stabilize this property after the adjoining property was demolished.

Ms. Mayfield had Mr. Reinhart restate his credentials, experience and position.

Mr. Reinhart stated that there were twelve (12) codes citations and violations dating to 2004. The property is without water service and was condemned in January as unfit for human habitation, due to the lack of water service. He also submitted photographs taken of the exterior of the property in January 2009.

Ms. Mayfield had Mr. Cooper restate his position with the City.

Mr. Cooper stated that liens totaling \$1,283.19 are filed against this property. Delinquent City property taxes since 2004 total \$1,495.45. Delinquent County and School taxes total \$839.06. The property is scheduled for the September 2009 Upset Sale.

Testimony from Property Owner

Ronald Heckman, property owner, stated that the condemnation placard is malarkey. He expressed the belief that housing permits should not be needed unless the property is rented. He stated that the City has failed to respond to his request for an appeal. He also questioned the existence of liens against the property. He also described the problems created when the adjoining property was demolished.

Mr. Reinhart stated that the property owner has also sent inappropriate letters to the Codes staff when they notify the property owner of the need to inspect the interior of the property. He also noted that the property owner has in the past stated that "this is America, not Nazi Germany". He noted that he property owner refuses to allow an inspection of the interior of the property.

Mr. Franco again stated that he has never met or worked with this property owner. He expressed the belief that the property can be rehabilitated and volunteered to discuss the property issues with the property owner.

Mr. Cooper stated that he can provide the docket numbers for the liens to the property owner.

Mr. Olsen approximated that over \$3,000 is owed in liens and past due taxes for this property. He noted the availability of a Rehabilitation Agreement. He

inquired why the property owner refuses to allow an interior inspection.

Mr. Heckman stated that he discussed this issue with the past Codes manager.

Mr. Luckey asked the property owner if he understood the need to complete the rehabilitation within 60 days. Mr. Heckman questioned the need to complete the rehabilitation within 60 days as some existing ordinances allow six (6) month rehabilitation and extensions.

Mr. Bealer explained that the property is now in a process under Urban Redevelopment Law, which is different from other local regulations.

Public Comment

Mr. Olsen inquired if anyone wished to comment about this property. No one came forward.

Decision of the BPRC

Due to the findings and testimony from City staff, Mr. Olsen moved to determine 153 Walnut Street as a blighted property. Mr. Olsen asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

Mr. Olsen stated that it has come to his attention that the motions and vote on each property were done incorrectly. The BPRC will correct this by voting on each property in order.

328 Pear Street - Owned by Heredia Franklin, 859 Lobelia Dr, Reading – purchased May 2005

Ms. Mayfield asked City staff and members of the public planning to testify to rise. The court reporter administered the oath to Mr. Franco, Mr. Cooper, and Mr. Reinhart.

Findings of Fact - City

Ms. Mayfield had Mr. Franco restate his credentials, position and years of service.

Mr. Franco stated that a notice to inspect was mailed certified to the property

owner in November 2008. That letter was returned as unclaimed. A 30 day notice to rehab or demolish was mailed to the property owner in March 2009. The letter was mailed first class and certified. Only the certified letter was returned as unclaimed. Mr. Franco explained that he became aware of the issues with this property while handling issues with 628 North Front Street.

Ms. Mayfield had Mr. Reinhart restate his credentials, experience and positions.

Mr. Reinhart stated that this property has a long history of violations, citations and work orders for maintenance issues since 2004.

Ms. Mayfield had Mr. Cooper restate his position with the City.

Mr. Cooper stated that this property has \$644.86 in liens. The property owes \$624.01 in water charges. The City property taxes are past due by \$826.72 and the County and School taxes are also delinquent and total \$1,750.62. The property is subject to Free and Clear Tax sale in December 2009.

Public Comment

Mr. Olsen inquired if anyone wished to comment about this property. No one came forward.

Decision of the BPRC

Due to the findings and testimony from City staff, Ms. Wolfe moved, seconded by Mr. Luckey, to determine 328 Pear Street as a blighted property. Mr. Olsen asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

Corrected Decision of the BPRC

Due to the findings and testimony from City staff, Ms. Wolfe moved, seconded by Mr. Luckey, to determine **212 South 8th Street** as a blighted property. Mr. Olsen asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

Due to the findings and testimony from City staff, Mr. Candelario moved, seconded by Mr. Luckey, to determine **317 Schuylkill Avenue** as a blighted property. Mr. Olsen asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee

members responded by saying "Aye". The motion was approved unanimously.

Due to the findings and testimony from City staff, Mr. Candelario moved, seconded by Mr. Bealer, to determine **118 West Elm Street** as a blighted property. Mr. Olsen asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

Due to the findings and testimony from City staff, Ms. Wolfe moved, seconded by Mr. Candelario, to determine **343 McKnight Street** as a blighted property. Mr. Olsen asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

Due to the findings and testimony from City staff, Ms. Wolfe moved, seconded by Mr. Candelario, to determine **157 North Front Street** as a blighted property. Mr. Olsen asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

Due to the findings and testimony from City staff, Mr. Candelario moved, seconded by Mr. Bealer, to determine 360 McKnight Street as a blighted property. Mr. Olsen asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

Due to the findings and testimony from City staff, Mr. Candelario moved, seconded by Mr. Grant, to determine **210 North Front Street** as a blighted property. Mr. Olsen asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

Due to the findings and testimony from City staff, Mr. Candelario moved, seconded by Mr. Grant, to determine **228 North Front Street** as a blighted property. Mr. Olsen asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

Due to the findings and testimony from City staff, Mr. Candelario moved, seconded by Mr. Bealer, to determine **127 Walnut Street** as a blighted property.

Mr. Olsen asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

Due to the findings and testimony from City staff, Mr. Candelario moved, seconded by Ms. Wolfe, to determine **153 Walnut Street** as a blighted property. Mr. Olsen asked all committee members in agreement to signify by saying "Aye" and those opposed to signify by saying "Nay". All committee members responded by saying "Aye". The motion was approved unanimously.

Adjourn

Mr. Olsen thanked the BPRC and staff for their diligence and preparation for this historic hearing. Mr. Olsen stated that the Certification Hearing is scheduled for Thursday, September 17 at 6 p.m. in Council Chambers. As no other business was brought to the table the hearing adjourned.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk