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**Blighted Property Review Committee**  
**Thursday, November 15, 2012**  
**Determination & Certification Hearing**  
**Meeting Report**

Mr. Lucky called the Determination and Certification Hearing to order at 6:10 pm. He announced that a quorum was present.

Mr. Lucky announced that the purpose of the hearing was to consider if the conditions of the properties on the agenda met the conditions set by the Pennsylvania Urban Redevelopment Law of 1945, as amended and the City of Reading Blighted Property Review Committee Ordinance, and could be determined or certified as blighted.

**BPRC Attendance:** R. Corcoran, M. Wolfe, D. Lucky, W. Bealer, H. Urena

**Staff Attendance:** L. Kelleher, T. Butler, Esq., M. Reinhart, B. Nicarry, J. Orrs

Mr. Lucky stated that the first order of business is to remove properties that no longer meet the blight criteria from the process. He stated that the following properties no longer meet the blighted criteria:

1. 140 S 8<sup>th</sup> St, Amocetia Beckford, 240 S 6<sup>th</sup> St Reading PA 19602, purchased Aug 2006
2. 722 Chestnut St, Recycled Spaces LLC, PO Box 291 Haverford PA 19041, purchased July 2005
3. 921 Penn St, TEH Realty 38 LLC owner, 645 Penn Street, Reading 19601, purchased March 2012
4. 1349 Locust St, Marcelline Mohamed, PO Box 14601 Reading PA 19612, purchased Feb 1996
5. 122 N 4<sup>th</sup> St, Amocetia Beckford, 240 S 6<sup>th</sup> St Reading PA 19602, purchased July 2006
6. 230 N 4<sup>th</sup> St, Amocetia Beckford, 240 S 6<sup>th</sup> St Reading PA 19602, no purchase date

**Mr. Bealer moved, seconded by Mr. Corcoran, to remove the above listed properties from the process. The motion was approved unanimously.**

Mr. Lucky asked Ms. Butler, attorney from the City's Law Department, to conduct the hearing. Ms. Butler explained the hearing procedures and summarized the blighted conditions as set forth in the City's Blighted Property ordinance.

Ms. Butler explained the hearing procedures and stated that the properties where owners are present will be taken first and the properties without owners present will be handled in the Consent Agenda format at the end of the hearing.

## **DETERMINATION HEARING**

### **1. 313 N 9<sup>th</sup> St, Khoa Tran, owner, 1221 Butler St Reading PA 19601, purchased August 2001**

Ms. Butler asked the property owner and his translator to step to the podium. The property owner and translator stepped forward. Ms. Kelleher administered the oath to the property owner with assistance from the translator. A copy of the property packet was given to the property owner prior to the start of the hearing.

Ms. Butler entered the property packet into the record as follows:

- Notice mailed to the property owner via first class and certified mail on October 25, 2012
- Notice posted on the property on October 25, 2012
- Delinquent water N/A
- Delinquent Taxes N/A
- Water Service on
- Delinquent Trash and Recycling Charges N/A
- Codes – infestation March and electrical hazards March 2012, failed interior inspection August 2012, Re-inspection scheduled December 2012. Unpaid inspection fee \$505.
- Trades - no exterior structural issues.

The translator read the property packet to Mr. Tran. With assistance from the translator, Mr. Tran questioned the inspection fee. Ms. Butler explained that the fee covers the cost of the inspection. Mr. Tran stated that he was told he could use a payment plan.

Ms. Butler questioned the infestation. Mr. Tran stated that the infestation issue was resolved when the old tenant who caused the problem moved out and the new tenant fixed the problem. He stated that his re-inspection is scheduled for December 7<sup>th</sup> and that infestation was not noted on the August inspection report with the 10 violations.

Mr. Tran, through the translator, stated that most of the tenants do not pay rent and destroy the building and use the condition of the building to withhold rent payments.

Mr. Corcoran inquired about the repair work to the bathroom floor. Mr. Tran stated that the repair will occur before December 7<sup>th</sup>.

Mr. Lucky reminded Mr. Tran that it is the responsibility of the landlord, not the tenant to

maintain rental properties.

Mr. Tran stated that recently tenants reported damage caused by the termites before the infestation issue was rectified.

Ms. Butler opened the floor for public comment. No one stepped forward.

**Mr. Corcoran moved, seconded by Mr. Urena, to table 313 N 9<sup>th</sup> Street until the December hearing. The motion was approved unanimously.**

**2. 940 Penn St, Double 9 Winoutlet LLC owner, 390 W. Sedgley Ave, Phila. PA 19140, purchased Dec 2011**

Ms. Butler asked the property owner or his representative to step to the podium. Mahn Suh Park stepped forward. Ms. Kelleher administered the oath to the property owner. A copy of the property packet was given to the property owner prior to the start of the hearing.

Ms. Butler entered the property packet into the record as follows:

- Notice mailed to the property owner via first class and certified mail on October 24, 2012
- Notice posted on the property on October 2, 2012
- Delinquent water \$697.17
- Delinquent Taxes \$7616.13 09, 10 and 11
- Water Service off 2009
- Delinquent Trash and Recycling Charges N/A
- Codes – Notice of Violation for a broken window
- Trades – no exterior structural deficiencies
- Lien N/A

Mr. Park expressed the belief that he paid his taxes in April and claimed that he lost the receipt. He also expressed the belief that the amount of the delinquency is incorrect. He stated that he sold the building in 2008 but foreclosed when the former owner didn't pay him. He stated that he was unaware of the delinquencies that carried with the title transfer. He stated that he went to the County Treasurer's Office and contacted Portnoff within the last two days. He provided a receipt from the County Treasurer showing a partial payment of the 2011 taxes. He also provided a copy of a letter from Portnoff showing that a tax payment was made today.

Mr. Park angrily stated that he was being treated unfairly and he began yelling at the board. Ms. Butler attempted to explain that Portnoff collected the taxes in 2009 and 2010 and the County Treasurer in 2011; however, the building still meets the blight criteria due to its lack of

water service. Mr. Park again began yelling that his rights were being violated. Ms. Butler told Mr. Park that he had no right to come here and scream at the board when he only made payments today. Ms. Butler asked Mr. Park to take down her phone number and to call her on Friday and she would explain the law and the process.

Ms. Butler opened the floor for public comment. No one stepped forward.

**Mr. Bealer moved, seconded by Ms. Wolfe, to certify 940 Penn Street as blighted. The motion was approved unanimously.**

**3. 511 Penn St., Lehigh Land Holdings Inc., 3140B W. Tilghman St, Allentown PA, purchased June 2002**

Ms. Butler asked the property owner or his representative to step to the podium. Joseph Clark and his attorney Jeffrey Noonan stepped forward. Ms. Kelleher administered the oath. A copy of the property packet was provided prior to the start of the hearing.

Ms. Butler entered the property packet into the record as follows:

- Notice mailed to the property owner via first class and certified mail on October 24, 2012
- Notice posted on the property on October 2 , 2012
- Delinquent water \$31737.76
- Delinquent Taxes N/A
- Water Service on
- Delinquent Trash and Recycling Charges N/A
- Codes – found guilty at MDJ court for failure to repair a sink
- Trades – no exterior structural deficiencies
- Liens N/A

Mr. Clarke stated that he purchased the property in 2002. He claimed that the delinquent water charge is erroneous and that he is being charged for a 6" water inlet for a sprinkler system that does not exist. He stated that his average water charge is approximately \$400 per month. He expressed the belief that his property should not be on the blighted list and that he is "being ganged up on". He noted that if the City certifies the property, the City will need to pay him fair market value and noted that the property is currently listed for sale at \$1.1M. He also stated that the City will be required to relocate the current tenants. He asked for the opportunity to cross examine those who prepared the affidavits and the people who will be putting the property through the eminent domain process.

Ms. Butler explained that the eminent domain process is guided by a team of City employees. She noted that the affidavits attached to the property packet are sworn under oath and the

offices completing them are not needed at the hearing.

Mr. Clark stated that his property only meets the blighted criteria due to his issue with RAWA. He requested 30 days to work things out with RAWA. He also suggested that the Board investigate this issue before certifying the property.

Mr. Clark stated that the notifications are addressed to an incorrect party. Ms. Kelleher stated that she just re-checked the County assessment records on the computer and that the records show Lehigh Land Holdings as the owner of record.

Mr. Mauger, a tenant in the building, began complaining about the amount of the water bill and the citation for the sink. Ms. Kelleher reminded him that his opportunity to speak will be during public comment as he is not the property owner or the property owner's representative.

Mr. Lucky stated that while the board understands Mr. Clark's frustration, they are not responsible for investigating issues with properties. He stated that the board merely reviews the criteria for each property and decides if the property meets the blight criteria. He suggested that Mr. Clark work toward resolution with RAWA.

Mr. Noonan asked the board to give Mr. Clark one month to resolve the issue with RAWA.

Ms. Butler opened the floor for public comment.

Ms. Kelleher issued the oath to Chris Mauger.

Mr. Mauger expressed concern that the water bill continues to grow higher and complained that the sink violation was not noted at the September hearing. Ms. Butler stated that the citation for the sink was issued after the September hearing.

**4. Ms. Wolfe moved, seconded by Mr. Corcoran, to table 511 Penn Street until the December hearing. The motion was approved unanimously.**

**331 N 12<sup>th</sup> St, Cheryl Raven, owner, 333 N 12<sup>th</sup> Street Reading PA 19604, purchased July 1998**

Ms. Butler asked the property owner or his representative to step to the podium. Mr. Raven stepped forward. Ms. Kelleher administered the oath to Mr. Raven, who said that he is representing his wife, who was unable to attend due to work. A copy of the property packet was given to Mr. Raven prior to the start of the hearing.

Ms. Butler entered the property packet into the record as follows:

- Notice mailed to the property owner via first class and certified mail on September 24, 2012
- Notice posted on the property on October 2, 2012
- Delinquent water N/A
- Delinquent Taxes N/A
- Water Service disconnected
- Delinquent Trash and Recycling Charges N/A
- Codes – cited for failure to repair or demo; appeal of the blighted process denied as per the State statute
- Trades – Cited 9-27, 10-16, and 10-23 for failure to obtain a demolition permit; the property owner failed to contact Trades as instructed at the September hearing
- Lien N/A

Ms. Butler called the board's attention to the photographs displayed on the screen. The photo on the left shows the property as it appeared at the September hearing and the photograph on the right shows the property as it appears today, lacking a roof structure and an exterior wall.

Mr. Raven stated that his wife has retained Kathleen Dautrich, Esquire to appeal the citations issued by Trades. He stated that the hearing is scheduled for December and asked the board to delay their decision until after the hearing. Ms. Butler stated that citation and appeal are unrelated to the law that governs the blighted property process or the condition of the property. She stated that the photographs speak for themselves.

Ms. Butler opened the floor for public comment. No one stepped forward.

**Mr. Corcoran moved, seconded by Mr. Bealer, to certify 331 N 12<sup>th</sup> Street as blighted. The motion was approved unanimously.**

**5. 62 S 6<sup>th</sup> St., Marie & Maracia Richard, owner, 1743 Reading Blvd, purchased Jan 2003**

Ms. Butler asked the property owner or his representative to step to the podium. Ms. Richard stepped forward. Ms. Kelleher administered the oath to the property owner. A copy of the property packet was given to the property owner prior to the start of the hearing.

Ms. Butler entered the property packet into the record as follows:

- Notice mailed to the property owner via first class and certified mail on October 2, 2012
- Notice posted on the property on October 2, 2012
- Delinquent water \$2156.37
- Delinquent Taxes \$3832.46 2009,10,11

- Water Service off 2012
- Delinquent Trash and Recycling Charges N/A
- Codes – illegal rental 2010-11 \$300
- Trades – no exterior structural issues
- Lien - \$8862.28 for 2009, 10, 11 taxes; DID Assessment \$6394.36

Ms. Richard questioned the RAWA delinquency. Ms. Butler advised her to contact RAWA.

Ms. Richard stated that a contractor is doing work at the property and that she plans to pay the delinquent charges. She stated that she is having a difficult time affording this property.

Ms. Butler opened the floor for public comment. No one stepped forward.

**Ms. Wolfe moved, seconded by Mr. Corcoran, to table 62 S 6<sup>th</sup> Street. The motion was approved by a majority vote, with Mr. Urena abstaining due to his relationship with Ms. Richard.**

**7. 49 S 10<sup>th</sup> Street, Amocetia Beckford, 240 S 6<sup>th</sup> St Reading PA 19602, no purchase date listed**

Ms. Butler asked the property owner to step forward. Ms. Kelleher issued the oath to Ms. Beckford. A copy of the property packet was provided to the property owner before the start of the hearing.

Ms. Butler entered the property packet into the record as follows:

- Notice mailed to the property owner via first class and certified mail on October 2, 2012
- Notice posted on the property on October 2, 2012
- Delinquent water \$955.85
- Delinquent Taxes \$926.23 2010-11
- Water Service off 2009
- Delinquent Trash and Recycling Charges totaling \$1239.44
- Codes – \$860 in unpaid QoL Tickets for trash, unpaid rental permit 07, 10, 11, 12 \$350, rehab agreement submitted 11-5-12
- Trades – No exterior structural issues
- Lien \$1583.01 for trash and recycling; \$2036.23 for 2010-11 taxes

Ms. Butler stated that Ms. Beckford corrected the issues with three of her properties which allowed them to be removed from the process this evening.

Ms. Beckford stated that she recently cleaned out the property and put a new roof on the

property. She stated that she will continue to work to correct the property's problems and delinquencies; however, she stated that she is unsure if she can resolve all issues before December.

Ms. Butler opened the floor for public comment. No one stepped forward.

Mr. Lucky congratulated Ms. Beckford for resolving the problems at her other properties.

**Mr. Bealer moved, seconded by Ms. Wolfe, to certify 49 S 10<sup>th</sup> Street as blighted. The motion was approved unanimously.**

**7. 324 West Greenwich St, Carlo Fontange, 425 Amherst St East, Orange NJ 07018 purchased June 2005**

Ms. Butler called the property owner to the podium. Ms. Kelleher administered the oath to Mr. Fontange. A copy of the property packet was given to the property owner prior to the start of the hearing.

Ms. Butler entered the property packet into the record as follows:

- Notice mailed to the property owner via first class and certified mail on October 24, 2012
- Notice posted on the property on October 2, 2012
- Delinquent water \$790.14
- Delinquent Taxes N/A
- Water Service off 2011
- Delinquent Trash and Recycling Charges totaling \$184.09
- Codes – unpaid QoL weeds and trash \$260; police have deemed this a high risk property due to the number of times it has been found unsecured.
- Trades – 2<sup>nd</sup> floor burned out and garage demolished
- Lien - \$266.58 for 2011 taxes

Mr. Fontange described his work to rebuild the property. He stated that the windows and door were replaced. He stated that he can pay 50% of his water delinquency tomorrow and pay the remainder of his water bill by February. He stated that he will enter into a payment plan for his other delinquencies.

Ms. Butler opened the floor for public comment. No one stepped forward.

**Mr. Bealer moved, seconded by Ms. Wolfe, to certify 334 W. Greenwich Street. The motion was approved unanimously.**

Ms. Butler inquired if the owners of the following properties are present and instructed them to come to the podium if they are present. No one stepped forward.

- 710 Chestnut St, William, Dexter and Anna Miller, owners, 1953 Dorchester Ave, Dorchester MA 02124, no purchase date listed
- 712 Chestnut St., 710 Chestnut St, William, Dexter and Anna Miller, owners, 1953 Dorchester Ave, Dorchester MA 02124, no purchase date listed 1. Oath to all presenting testimony
- 718 Chestnut St., Richard and Laoma Wagner, owners, 78 Muddy Creek Church Rd, Denver PA 17517 no purchase date listed
- 740 Chestnut St, Nicholas Blanck, owner of 94 Mull Ave., Sinking Spring 19608, purchased Jan 2010
- 437 S 6<sup>th</sup> St, Neil McClean, owner, PO Box 583 Berwyn PA 19312, no purchase date listed
- 215 S 8th St, Maximo Cruz, owner. 15 S 8<sup>th</sup> Street Reading PA 19602, purchased June 2003
- 560 Gordon St, Asghar Kahn, 560 Gordon St, Rdg, 19601, purchased August 2003
- 33 S 2<sup>nd</sup> St, Yeri Martinez, 33 S. 2<sup>nd</sup> St, Reading PA 09602, purchased Sept 2008

Ms. Butler stated that as none of the property owners are present the Committee will consider the properties in the consent agenda fashion. She entered the property packets into the record. In summary:

- 710 Chestnut St – notice posted 10-24-12 and mailed 10-2-12, Water off \$112 delinquent, 2 unpaid QoL \$70, Notice of violation for peeling paint, no exterior structural issues
- 712 Chestnut St - notice posted 10-24-12 and mailed 10-2-12, Water off \$112 delinquency, \$153.75 QoL, \$600 unpaid housing fees
- 718 Chestnut St. – Water off \$112 delinquency, No exterior structural issues, 2 unpaid QoL and work order \$1192.4, unpaid rental permit 2011-12 \$100, delinquent trash/recycling \$90.56, lien for \$947.25 nuisance abatement
- 740 Chestnut St – Notice mailed 10-24-12 and posted 10-2-12, Water off \$112 delinquency, roof repaired, owner renovating interior and installed new floor, in rehab, inspection 11-16-12
- 437 S 6<sup>th</sup> St - notice posted 10-2-12 and mailed 10-24-12, Water off and \$2714.81 delinquent, Taxes paid, unpaid QoL tickets \$705, citations 06, 07, 08, 12 failure to secure, weeds and peeling paint, Delinquent Trash and Recycling \$360.87, Liens \$1824.50 water and \$178 in municipal liens
- 215 S 8th St - notice posted 10-2-12 and mailed 10-24-12, Water off and \$1418.10 delinquent, Taxes delinquent \$803.58 2010 and 11, unpaid work orders \$441.15, no windows creating a structural threat, Delinquent Trash and Recycling \$1033.27,

**Liens \$1772.10 taxes, \$1084.92 RAWA**

- **560 Gordon St - notice posted 10-24-12 and mailed 10-2-12, Water off and \$1748.48 delinquent, Taxes delinquent \$2379.48 09, 10, 11, unpaid QoL tickets \$3895, unpaid work orders \$2585.57, Delinquent Trash and Recycling \$746.97, Liens \$1130.57 Trash/Recycling and \$2929.82 09, 10, 11 taxes**
- **33 S 2<sup>nd</sup> St - notice posted 10-2-12 and mailed 10-2-12, Water off and \$527.23 delinquent, unpaid work orders \$110, property has "For Sale" sign posted, Delinquent Recycling \$339.14, Liens \$654.89 2011 Taxes and \$570.09 Trash and Recycling**

Ms. Butler again asked if the owners of any of the listed properties were present. No one responded.

Ms. Butler opened the floor for public comment. No one stepped forward.

Ms. Butler stated that each of these properties meets the blight criteria.

**Mr. Corcoran moved, seconded by Mr. Urena, to approve the certification of these properties as blighted. The motion was approved unanimously.**

**Mr. Urena moved, seconded by Mr. Corcoran, to adjourn the certification hearing.**

*Respectfully submitted by Linda A. Kelleher, Secretary*