

CITY OF DURHAM
DEPARTMENT OF NEIGHBORHOOD IMPROVEMENT SERVICES
807 E MAIN ST, DURHAM, NC 27701
HOUSING APPEALS BOARD MINUTES
June 18, 2025, 5:30 PM

Board Members Present

Indranil (Nil) Ghosh
Gwendolyn Barlow
John Griffin
Jenna Houchins
Elisabeth Wiener

Absent

Darren Chester

Staff Members Present

Alexis John, Assistant Director
Clarence Harris, Housing Code Administrator
Robb Damman, HAB Manager
Bobby Matthews, Code Enforcement Supervisor
Sofia Hernandez, City Attorney
Wilma Oliver and Kurt Jordan, CEO's

Property Representation Present

Alec LeGrega, 1203 N Miami Blvd.
Sherry Taylor, 804 Park Ave.

CALL TO ORDER/ROLL CALL - The Housing Appeals Board meeting was called to Order at 5:30 PM by Chair Nil Ghosh, followed by the roll call.

APPROVAL OF MINUTES - A motion to approve the minutes of May 21, 2025 was made by Elisabeth Wiener and seconded by Jenna Houchins. The vote was unanimous.

ADJUSTMENTS TO THE AGENDA – There were no adjustments to the agenda.

Chair Nil Ghosh explained the quasi-judicial procedures for the hearing, including oath administration and evidence presentation by property owner.

Let the record show John Griffin arrived after the roll call.

Appeal Address: 1203 N MIAMI BLVD - 113743
Owner(s): LAGREGA, ALEC - 1203 N MIAMI BLVD DURHAM, NC 27703
Case #: 25-2409
Case Topic: Weedy/Junked Lot
Property Vacant: No
Current Inspector: Laurin Milton
Initiated by: NIS CEO
Staff recommendation: Compliance

Clarence Harris, Housing Code Administrator, presented the background for the appeal. The address was inspected as part of the enforcement process. The initial inspection on May 14, 2025 revealed the single-family structure was in violation of the city ordinance. The violation consisted of trash & undergrowth, high grass and accumulation of debris, Durham City Code Chapter 26, Art VI.

Alec LeGrega, the property owner, stated that he doesn't know where the trash comes from. It shows up on his property, but he picks it up regularly whenever he takes the trash out. He further added that the tall grass is wheat in the yard, and he would harvest it whenever its ready. There were some other plants that just grew. He wanted to see what they were and if he could eat them. He wanted to be able to use his yard to grow some food since food is expensive and any amount that he could get for free is good.

After Mr. LeGrega answered a series of questions from the board, Chair Nil explained to him that he didn't have to get rid of everything in his yard, but he has to adhere to what the ordinance is asking.

Board member Wiener reminded staff that we had a similar appeal about five or six years ago and it couldn't be determined if the appellant had a natural yard or weeds. She asked if a policy ever happened.

Mr. Harris responded that staff do not currently have a policy in place.

A motion was introduced by Gwendolyn Barlow, Case No. 25-2409, be affirmed under Durham Nuisance Ordinance Section 26-186. The owner of the property shall be subjected to a civil penalty of \$50.00 and an additional civil penalty of 50.00 shall be imposed each month thereafter. The penalty shall be imposed until the property is brought into compliance; however, the maximum cumulative civil penalty shall not exceed \$1,000.00. The motion was seconded by Elisabeth Wiener; motion passed 5-0.

Docket #: FY25-HAB061
Address: 116 E TRINITY AVE - 110039
Owner(s): KELLY LINDA C - 2705 SARAH AVE DURHAM, NC 27707
Case #: 24-0432
Case Topic: Repair or Demolish (>50%)
Property Vacant: Yes
Current Inspector: Kurt Jordan
Initiated by: NIS CEO
Staff recommendation: Demolish

Robb Damman, HAB Manager, presented the background and video on Docket: FY25-HAB061. The initial inspection on February 12, 2024 revealed that a Single-Family structure was not in compliance with the City of Durham Minimum Housing Code. The inspection revealed the violations listed in Appendix A of the case report.

Complaint and Notice(s) were served on KELLY LINDA C on February 13, 2024, July 10, 2024, October 7, 2024, that set a hearing date to discuss the violations and determine the course of action for compliance. The owner DID NOT appear for the scheduled hearing(s).

Findings of Fact and Order(s) were served on KELLY LINDA C on March 15, 2024, August 16, 2024, November 11, 2024, February 25, 2025, directing that the building in question be Repaired or

Demolished to bring it into compliance with the Code on or before April 25, 2025. To date, that Order has not been complied with.

Kurt Jordan, Code Enforcement Officer stated the findings on case #24-0432.

Officer Jordan stated that "Appendix A" is a true and accurate reflection of the defects as of June 18, 2025, and asked the Board to receive and accept "Appendix A" into the record as evidence.

Appendix A was accepted into the record by Chairman Nil.

Staff were asked if the structure was in a historically protected area. Supervisor Matthews stated that his communication with the planning department was that the property wasn't in a historic district nor is it a local landmark and he added that a COA (Certificate of Acceptance) isn't required.

Staff were asked if there was contact with the property owner. Officer Jordan stated that the owner has been noncompliant throughout the ordeal, and he hasn't spoken with the owner in months.

Staff were asked what the timeline for demolition would be. Mr. Damman stated that he hasn't advertised a request for bids; therefore, there isn't a timeline for demolition.

Officer Jordan stated he had communication with the owner prior to May 12, 2025. She stated that she was selling the property and intended to make the necessary repairs. As of the end of business day of May 13th there has been no response from the owner.

Mr. Harris responded to the board's question regarding the timeline for demolition. Mr. Harris stated that we have other stabilization projects that we are working on. We don't have any timeline in the near future; probably looking at 90 days. We would start the advertisement for bids prior to the 90 days but wouldn't be able to get to the actual demolition.

Staff were asked if they would stop demolition if the property owner began making repairs. Mr. Harris stated that it has to do with the history of the property owner. When people are requesting an extension after the HAB ordinance, we require detailed information as it relates to the timelines and execution of repairs. We want to see something concrete and a true depiction of moving forward for remediation. A lot of things would have to be provided for us to stay on the demolition.

Robb Damman proceeded with staff recommendation, that the Housing Appeals Board adopt an Ordinance authorizing the administrator be authorized to repair the structure in accordance with the City's Minimum Housing Code and that the Owner of the dwelling, except an Owner who occupies the dwelling as his or her principal place of residence, be subjected to a civil penalty of \$300.00 each month until the dwelling is brought into compliance. However, the maximum cumulative civil penalty shall not exceed \$5,000.00. As of today, the owner has accumulated a \$250.00 Administrative Fee and \$300.00 in Civil Penalties.

A motion was introduced by Gwendolyn Barlow, DOCKET #FY25-HAB061, the administrator be authorized to demolish the structure at 116 E TRINITY AVE - 110039, in accordance with the City's Housing Code found in Chapter 10, Article VI of the Durham City Code including Sections 10-239 (j) (1) and (2). The owner of the dwelling, except an owner who occupies the dwelling as his or her principal place of residence, shall be subjected to a civil penalty of \$300.00 each month until the dwelling is

brought into compliance in accordance with the Durham City Code Section 10-241. However, the maximum cumulative civil penalty shall not exceed \$5,000.00. The motion was seconded by Elisabeth Wiener; motion passed 5-0.

Docket #: FY25-HAB062

Address: 804 PARK AVE - 112869

Owner(s): DURHAM COMMUNITY LAND TRUSTEES, INC - Registered Agent: Durham Community Land Trustees, Inc. 1208 W CHAPEL HILL ST

Case #: 24-4987

Case Topic: Repair or Demolish (>50%)

Property Vacant: Yes

Current Inspector: Wilma Oliver

Initiated by: Other

Staff recommendation: Demolish

Robb Damman, HAB Manager, presented the background and video on Docket: FY25-HAB062. The initial inspection on January 29, 2025 revealed that a Duplex structure was not in compliance with the City of Durham Minimum Housing Code. The inspection revealed the violations listed in Appendix A of the case report.

Complaint and Notice(s) were served on DURHAM COMMUNITY LAND TRUSTEES, INC on January 30, 2025, January 31, 2025, that set a hearing date to discuss the violations and determine the course of action for compliance. The owner DID NOT appear for the scheduled hearing(s).

Findings of Fact and Order(s) were served on DURHAM COMMUNITY LAND TRUSTEES, INC on March 6, 2025, directing that the building in question be Repaired or Demolished to bring it into compliance with the Code on or before May 9, 2025. To date, that Order has not been complied with.

Wilma Oliver, Code Enforcement Officer, stated the findings on case # Case #: 24-4987.

Officer Oliver stated that "Appendix A" is a true and accurate reflection of the defects as of June 18, 2025 and asked the Board to receive and accept "Appendix A" into the record as evidence.

Appendix A was accepted into the record by Chairman Nil.

Officer Oliver stated she communicated with the owners' representatives Madonna Moore Marshall, Marcia Rogers and Ajax Wooley on March 4, 2025 by email to discuss the status of the repairs. She received a reply on March 5, 2025 from Madonna Moore of Durham Community Land Trust via email. The response was they are waiting for the signed contract from the COD for their East Point project which includes 804 Park Ave. Once they've a fully executed contract, they will commence on the rehab work. Officer Oliver stated that she didn't send a compliance agreement because the original case CE-17-3144 for this address was opened on June 15, 2017 by CEO Pratt, starting Feb. 19, 2018. Upon Officer Oliver's initial inspection, the structure appeared vacant.

Sherry Taylor, Executive Director stated her goal is to give additional context. Durham Community Trust provides rental housing and affordable homeownership opportunities. They purchased the portfolio of 37 properties with the partnership of the city. Due to funding from the city, they have rehabbed 15 units. The reason said property is vacant was due to violence in the neighborhood. They are waiting for

subsidy from the state to do the second rehabilitation. It went to council December 2024; the contract was executed in March, 2025. They are committed to rehabilitating the property. In the meantime, they have tried to secure the property from unauthorized individuals by boarding the doors and windows. The next step is to get an engineer assessment, which is scheduled for July 1, 2025. They also need to go through a bid process because they have accepted funds from the city.

Chairman Nil confirmed Ms. Taylor's testimony that Durham Community Trust have been awarded and accepted subsidy money from the City of Durham to rehab said property. Ms. Taylor replied, yes.

Based on this new information, Mr. Harris recommended continuing the case until further concrete plans are made until they complete their assessment.

Board referred back to staff...

Staff (Assistant Director Alexis John) recommended removing this case from the docket.

General Business – HAB Clerk will confirm if Elisabeth Wiener has been reappointed. Jenna Houchins will be relocating, this was her last meeting.

New Business – Board will not take a break in July but will take a break in November. It was recommended to confirm a quorum for the July meeting.

Staff announced effective July 1, 2025, the new name for the department will be Housing and Neighborhood Services.

Minutes submitted by Yolanda Dye-Robinson, Housing Appeals Board Clerk