

**CITY OF DURHAM**  
**DEPARTMENT OF NEIGHBORHOOD IMPROVEMENT SERVICES**  
**807 E MAIN ST, DURHAM, NC 27701**  
**HOUSING APPEALS BOARD MINUTES**  
**March 19, 2025, 5:30 PM**

**Board Members Present**

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

**Absent**

Darren Chester

**Staff Members Present**

Clarence Harris, Housing Code Administrator  
Robb Damman, HAB Manager  
Bobby Matthews, CE Supervisor  
Sofia Hernandez, City Attorney  
Michelle Sellers, Wilma Oliver Dawn Hill-Alston and Carlos Hernandez, CEO's

**Property Representation Present**

Sabrina Bolding, Property Manager for JFK Towers  
Dana Ballew, Regional Manager for JFK Towers

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 January 15, 2025 was made by Nil Ghosh and seconded by Gwendolyn Barlow. The vote was unanimous.

ADJUSTMENTS TO THE AGENDA – Robb Damman, HAB Manager asked to remove from the agenda Docket No. FY25-HAB044; case closed due to compliance and FY25-HAB050; occupant vacated, unit is unoccupied.

Docket: FY25-HAB045

Address: 4900 OLD FARM RD, Unit 420 - 172631

Owner(s): JFK, TOWERS NC TC LP - 4000 KEY TOWER 127 PUBLIC SQUARE CLEVELAND, OH 44114

Case #: 23-3036

Case Topic: Repair or Demolish (>50%)

Property Vacant: Yes

Current Inspector: Carlos Hernandez

Initiated by: NIS CEO

Staff recommendation: Repair

Robb Damman, HAB Manager, presented the background and video on Docket: FY25-HAB045. The initial inspection on July 20, 2023, revealed an Apartment Building 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 JFK, TOWERS NC TC LP on July 28, 2023, October 20, 2023, February 1, 2024, March 25, 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 JFK, TOWERS NC TC LP on September 14, 2023, December 8, 2023, May 2, 2024, directing that the building in question be Repaired to bring it into compliance with the Code on or before June 6, 2024. To date, that Order has not been complied with.

Carlos Hernandez, Code Enforcement Officer stated the findings on case #23-3036.

Officer Hernandez stated that "Appendix A" is a true and accurate reflection of the defects as of March 19, 2025, and asked the Board to receive and accept "Appendix A" into the record as evidence.

Officer Hernandez stated that the closed violations listed in Appendix A should be reopened. Officer Hernandez stated that the violation for the range hood, (according to the occupant) isn't working properly; the smoke detector although properly installed and meets standards (in occupant's bedroom), Officer Hernandez recommended to management to install an additional smoke detector in the apartment.

Dana Ballew, Regional Manager for JFK Towers stated that the occupant has refused to move out of the apartment, and neither will the occupant allow management into the apartment to make repairs. Ms. Ballew stated that she has emails (which she wasn't aware she could bring) stating such. The occupant refuses to move to a new unit (which included movers) offered by management.

Clarence Harris, Housing Code Administrator added that this was a multi department special inspection process that identified violations as it relates to JFK Towers.

Sabrina Bolding, Property Manager for JFK Towers stated that they are trying to work with the tenant. The tenant has a new faucet, hot water, pest control, and a new vent was ordered. They want to make her unit as doable as possible, but the tenant has health issues. The whole building was rehabbed except for occupant's unit.

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 \$2,700.00 in Civil Penalties.

A motion was introduced by Gwendolyn Barlow, DOCKET #FY25-HAB045, the administrator be authorized to repair the structure at 4900 OLD FARM RD, Unit 420 - 172631, 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-HAB046  
Address: 318 E UMSTEAD ST - 118302  
Owner(s): Blanco & Blanco LLC - 1404 Rosewood Street DURHAM, NC 27701  
Case: 24-3967  
Case Topic: Repair or Demolish (>50%)  
Property Vacant: Yes  
Current Inspector: Michelle Sellers  
Initiated by: Complaint  
Staff recommendation: Demolish

Robb Damman, HAB Manager, presented the background and video on Docket #: FY25-HAB046. The initial inspection on August 26, 2024, revealed 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 Blanco & Blanco LLC on August 29, 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 Blanco & Blanco LLC on October 4, 2024, directing that the building in question be Repaired or Demolished to bring it into compliance with the Code on or before December 7, 2024. To date, that Order has not been complied with.

Michelle Sellers, Code Enforcement Officer, stated the findings on case # Case #: 24-3967.

Officer Sellers stated that "Appendix A" is a true and accurate reflection of the defects as of March 19, 2025 and asked the Board to receive and accept "Appendix A" into the record as evidence.

Officer Sellers stated that this case was a restart, initially identified as an unsafe case, and inspected October 2019. When the case was restarted, Officer Sellers met with Jamon White, managing member of Blanco & Blanco on August 26, 2024 for a walk through of the property. There has been no further communication with Mr. White. The property was initially a vacant lot, and the owner built a foundation and had a house relocated to the location. No permits were granted.

Robb Damman proceeded with staff recommendation that the Housing Appeals Board adopt an Ordinance authorizing the administrator be authorized to demolish 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 \$900.00 in Civil Penalties.

A motion was introduced by Gwendolyn Barlow, DOCKET #FY25-HAB046, the administrator be authorized to demolish the structure at 318 E UMSTEAD ST – 118302 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 subject 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-HAB047

Address: 930 WADESBORO ST, 1A - 132037

Owner(s): LYNNHAVEN APARTMENT LLC - ATTN EZEKIEL FDN PROPEL CO PO BOX 121040

Case #: 25-1258

Case Topic: Emergency Repair

Property Vacant: No

Inspector: Wilma Oliver

Initiated by: NIS CEO

Staff recommendation: Repair

Robb Damman, HAB Manager, presented the background on Docket #: FY25-HAB047. The initial inspection on March 12, 2025 revealed that an Apartment Building 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.

Emergency Repair Notice(s) were served on LYNNHAVEN APARTMENT LLC on March 14, 2025 and the owner was given 72 hours to make repairs or be subject to City remediation of emergency conditions. As of March 19, 2025, the owner has not resolved the violations. Therefore, the City is seeking an ordinance from the Board authorizing the City to repair the violation(s).

Wilma Oliver, Code Enforcement Officer stated the findings on case # Case #: 25-1258.

Officer Oliver stated that "Appendix A" is a true and accurate reflection of the defects as of March 19, 2025 and asked the Board to receive and accept "Appendix A" into the record as evidence.

Officer Oliver shared that she communicated with the owner on March 13, 2025 to discuss the lack of heat in the occupied unit. Per management, the unit will be repaired when funding is received. Officer Oliver received an email earlier in the week from property management stating that they are still trying to acquire funding.

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-HAB047, the administrator be authorized to repair the structure at 930 WADESBORO ST. - 132037 in accordance with the City's Housing Code including Sections 10-239 (j) (1) and (2) and Section 102.3 of the Durham City Charter. The owner of the dwelling, except an owner who occupies the dwelling as his or her principal place of

residence, shall be subject 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 Weiner; motion passed 5-0.

Docket #: FY25-HAB048

Address: 2945 CEDARWOOD DR - 134498

Owner(s): NATALIE O EDWARDS - 2945 CEDARWOOD DR DURHAM, NC 27707

Case: 24-4741

Case Topic: Emergency Repair

Property Vacant: No

Current Inspector: Dawn Hill-Alston

Initiated by: NIS CEO

Staff recommendation: Repair

Robb Damman, HAB Manager, presented the background on Docket #: FY25-HAB048. The initial inspection on October 23, 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.

Emergency Repair Notice(s) were served on NATALIE O EDWARDS on November 4, 2024 and the owner was given 72 hours to make repairs or be subject to City remediation of emergency conditions. As of March 19, 2025, the owner has not resolved the violation. Therefore, the City is seeking an ordinance from the Board authorizing the City to repair the violation(s).

Dawn Hill-Alston, Code Enforcement Officer stated the findings on case # Case #: 24-4741.

Office Hill-Alston stated that "Appendix A" is a true and accurate reflection of the defects as of March 19, 2025 and asked the Board to receive and accept "Appendix A" into the record as evidence.

Officer Hill-Alston stated that the case came before the board previously (at the Dec. 18, 2024 HAB meeting).

Mr. Harris added that all violations weren't identified (at the Dec. 18<sup>th</sup> meeting) with the property. The initial recommendation was to repair the heat and electricity. After reviewing the ordinance which was approved (at the Dec. meeting), the violations for plumbing, the heating facilities, flooring (structure aspect) and electrical all present safety hazards to the occupant. The repairs were put on hold because the ordinance didn't line up with the scope of work. The case is before the board again to officially identify all 4 (four) of the violations.

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 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.

A motion was introduced by Gwendolyn Barlow, DOCKET #FY25-HAB048, the administrator be authorized to repair the structure at 2945 CEDARWOOD DR – 134498 in accordance with the City's

Housing Code including Sections 10-239 (j) (1) and (2) and Section 102.3 of the Durham City Charter. The owner of the dwelling, except an owner who occupies the dwelling as his or her principal place of residence, shall be subject 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 John Griffin; motion passed 5-0.

Docket #: FY25-HAB049

Address: 920 WADESBORO ST, 3B - 132037

Owner(s): LYNNHAVEN APARTMENT LLC - ATTN EZEKIEL FDN PROPEL CO PO BOX 121040

Case #: 25-0509

Case Topic: Emergency Repair

Property Vacant: No

Current Inspector: Wilma Oliver

Initiated by: Complaint

Staff recommendation: Repair

Robb Damman, HAB Manager, presented the background on Docket #: FY25-HAB049. The initial inspection on January 27, 2025 revealed that an Apartment Building 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.

Emergency Repair Notice(s) were served on LYNNHAVEN APARTMENT LLC on January 29, 2025 and the owner was given 72 hours to make repairs or be subject to City remediation of emergency conditions. As of March 19, 2025, the owner has not resolved the violation. Therefore, the City is seeking an ordinance from the Board authorizing the City to repair the violation(s).

Wilma Oliver, Code Enforcement Officer stated the findings on case # Case #: 25-0509.

Officer Oliver stated that "Appendix A" is a true and accurate reflection of the defects as of March 19, 2025 and asked the Board to receive and accept "Appendix A" into the record as evidence.

Officer Oliver stated she communicated with the owner on January 27, 2025 to discuss the lack of heat in the occupied unit. The gas meter is active, the furnace is partially dismantled, rendering it inoperable by property management. The repairs haven't been made due to lack of funding.

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 \$600.00 in Civil Penalties.

A motion was introduced by Gwendolyn Barlow, DOCKET #FY25-HAB049, the administrator be authorized to repair the structure at 920 WADESBORO ST, Unit 3B – 132037 in accordance with the City's Housing Code including Sections 10-239 (j) (1) and (2) and Section 102.3 of the Durham City Charter. The owner of the dwelling, except an owner who occupies the dwelling as his or her principal place of residence, shall be subject 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 John Griffin; motion passed 5-0.

Hearing and Determination of Cases ended at 6:30 PM

General Business – HAB Annual Retreat

Meeting adjourned at 7:30 pm

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