

**City of Durham  
Housing Appeals Board**

October 15, 2025  
807 E. Main Street

5:30 P.M.  
(Building 2, 3<sup>rd</sup> Floor, Suite 2)

**AGENDA**

1. *Call to Order*
2. *Roll Call*

**Members**

Indranil Ghosh  
Gwendolyn Barlow  
John Griffin  
Richard Andrews

**Alternate Members**

Darren Chester  
Rita McDaniel

3. *Approval of the following:*
4. *Adjustments to the Agenda*
5. *Explanation of Quasi-Judicial Procedure*
6. *Swearing of Witnesses*
7. *Appeal(s)*
8. *Hearing and Determination*

***Case(s) for Repair Only or Repair or Demolish:***

- a. *Docket No.: FY26-HAB016, Housing Code Violations  
206 S GOLEY ST., Parcel No.: 112073*
- b. *Docket No.: FY26-HAB017, Housing Code Violations  
112 S HYDE PARK AVE., Parcel No.: 112100*
- c. *Docket No.: FY26-HAB018, Housing Code Violations  
802 HOLLOWAY ST., Parcel No.: 111336*
- d. *Docket No.: FY26-HAB019, Housing Code Violations  
1019 ELMIRA AVE., Parcel No.: 133188*

9. *Other General Matters*
10. *Old Business*
11. *New Business*
12. *Adjournment*

## Housing Appeals Board- Case Report

10/15/2025

**Docket #:** FY26-HAB016

**Address:** 206 S GOLEY ST - 112073

**Owner(s):** JESSE C MCCRITE - 206 S GOLEY ST DURHAM, NC 27703

**Case #:** 23-5242

**Case Topic:** Repair or Demolish (>50%)

**Property Vacant:** Yes

**Current Inspector:** HAB Manager

**Initiated by:** Other

**Staff recommendation:** Demolish

**I. Background:** Robb Damman, HAB Manager  
Video Presentation

This address was inspected as part of the Code Enforcement Program. The initial inspection on **October 26, 2023** 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 **JESSE C MCCRITE** on **November 17, 2023**, 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 **JESSE C MCCRITE** on **December 26, 2023**, directing that the building in question be **Repaired or Demolished** to bring it into compliance with the Code on or before **February 21, 2024**. To date, that Order has not been complied with.

## II. Inspector's Presentation

Appendices A and B

### Appendix A

206 S GOLEY ST - 112073

#### **Housing - Exterior painting, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (k) Paint - interior/exterior peeling -

All such portions shall be cleaned and free of flaking, loose or defective surfacing materials prior to painting or coating. All interior loose or peeling wall covering or paint shall be removed and the exposed surface shall be placed in a smooth and sanitary condition. No paint shall be used for interior painting of any dwelling or dwelling unit unless the paint is free from any lead pigment.

Lead renovation, repair and painting activities are enforced by the North Carolina Lead-Based Paint Hazard Program (N.C.G.S. § 130A-453.22 through 31, and 10A NCAC 41C .0900). Firms and individuals performing renovation, repair and painting that disturbs lead-based paint in housing or child occupied facilities built before 1978, are required to be certified if performing these activities for compensation and must follow specific work practices to prevent the spread of lead.

**Comments:** Address all areas of peeling paint and ensure that all wooden surfaces are painted or covered with a protective coating.

#### **Housing - Walls, exterior, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(2)(a) Walls, exterior not sound, weatherproof or vermin proof - All exterior surfaces shall be structurally sound, waterproof, weatherproof, and vermin proof.

**Comments:** Address all areas of wood rot and missing boards.

#### **Housing - Property Maintenance, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (h)(2)(b) Fences and accessory structures need repair - Fences and all accessory structures shall be maintained in a safe and substantial condition and be kept in good repair. Accessory structures shall include, but are not limited to sheds, storage buildings and detached carports and garages.

**Comments:** Repair fencing.

#### **Housing - Roofs, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(3)(h) Roofs free of vegetation - Roofs shall be kept free of vegetation which compromises or otherwise damages the integrity of materials or function of the roof, roof overhang, fascia, soffit, gutters, or other portion of the roof structure

**Comments:** Remove all vegetation from the roof.

#### **Housing - Roofs, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(3)(f) Roof covering loose, holes or leaks - Roof covering shall not be loose, have missing shingles or other damaged roofing components, nor have holes, leaks, or evidence of current leaks

**Comments:** Ensure that all roofing components are free of wood rot and is functioning as intended including fascia, soffit and trim boards.

#### **Housing - Roofs, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(3)(b) Gutters and downspouts in disrepair - Gutters and downspouts, if installed, shall be provided to properly collect, conduct and discharge the water from the roof and away from the structure.

**Comments:** Ensure that gutters are free of debris and working as intended.

#### **Housing - Entrances and exits, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (b)(6) Platforms and steps - Platforms and steps shall be provided, where appropriate, to serve exits and shall be maintained in a safe condition.

**Comments:** Replace all wood rot and missing boards on front porch and rear exit steps.

#### **Housing - Stairs and steps, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(4)(f) Stairways or rails in disrepair - Every stairway, including inside stairs and rails, porches, decks and appurtenances thereto shall be kept in sound condition and good repair.

**Comments:** Replace all wood rot and ensure that railing is to code.

**Housing - Foundation, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(1)(f) Crawl space access missing door - A crawl space access hole having a door shall be provided to any under floor space in all dwellings.

**Comments:** Replace damaged crawlspace door.

**Appendix B**

**Party(ies) of Interest:**

Property Manager - MCCRITE JESSE C ESTATE C/O PORTIA BROWN DURHAM NC 27703

### III. Staff Recommendation

**Fees:**

Administrative: \$ 250.00

HAB Prepped Notes: File Reviewed (Yes), Cost repair estimate( \$43,484.57), Structure value(\$50,742.00), Percentage(85.70%), Civil Penalties(\$5,000.00), Extension/Compliance agreement offered(Yes), Extension/Compliance agreement approved(Yes), Assigned to HAB Manager(Yes), Ownership Verified(Yes)

Staff recommends that the Housing Appeals Board adopt an Ordinance authorizing the following:

**1)** That the Administrator be authorized to **Demolish** the structure in accordance with the City's Minimum Housing Code.

**2)** 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 the following amount: \$250.00 Administrative Fee and **\$5000** in Civil Penalties.

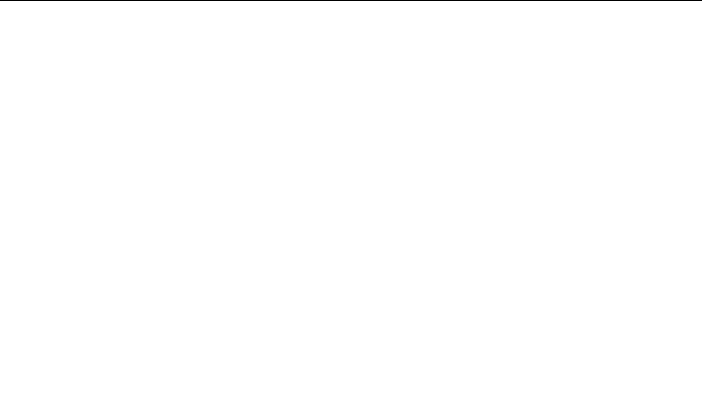
Photographs



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## Housing Appeals Board- Case Report

10/15/2025

**Docket #:** FY26-HAB017

**Address:** 112 S HYDE PARK AVE - 112100

**Owner(s):** SALAAM KHADIJAH - P O BOX 1024 DURHAM, NC 27702

**Case #:** 23-5365

**Case Topic:** Repair or Demolish (>50%)

**Property Vacant:** Yes

**Current Inspector:** HAB Manager

**Initiated by:** NIS CEO

**Staff recommendation:** Demolish

**I. Background:** Robb Damman, HAB Manager  
Video Presentation

This address was inspected as part of the Code Enforcement Program. The initial inspection on **November 6, 2023** 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 **SALAAM KHADIJAH** on **December 31, 1969, November 22, 2023, May 2, 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 **SALAAM KHADIJAH** on **January 4, 2024, June 4, 2025**, directing that the building in question be **Repaired or Demolished** to bring it into compliance with the Code on or before **August 9, 2025**. To date, that Order has not been complied with.

## II. Inspector's Presentation

Appendices A and B

### Appendix A

112 S HYDE PARK AVE - 112100

#### **Housing - General Requirements, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (f)(3) No boarded doors or windows - No structure or portion of a structure shall be permitted to have any door or window boarded, secured, or obstructed with wood, plywood or other opaque material, unless authorized by the administrator.

**Comments:** Remove boards and replace with translucent polycarbonate.

#### **Housing - Walls, exterior, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(2)(a) Walls, exterior not sound, weatherproof or vermin proof - All exterior surfaces shall be structurally sound, waterproof, weatherproof, and vermin proof.

**Comments:** Remove all wood rot and ensure that exterior walls are sound, weather proof and vermin proof.

#### **Housing - Roofs, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(3)(b) Gutters and downspouts in disrepair - Gutters and downspouts, if installed, shall be provided to properly collect, conduct and discharge the water from the roof and away from the structure.

**Comments:** Repair or replace the gutters and downspouts and ensure that they are functioning as intended.

#### **Housing - Roofs, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(3)(e) Sheathing rotted, loose or sagging - Sheathing shall not be rotted, loose or sagging excessively.

**Comments:** Throughout.

#### **Housing - Roofs, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(3)(f) Roof covering loose, holes or leaks - Roof covering shall not be loose, have missing shingles or other damaged roofing components, nor have holes, leaks, or evidence of current leaks

**Comments:** Ensure that roof is free of loose materials, holes, leaks and tarp.

#### **Housing - Roofs, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(3)(h) Roofs free of vegetation - Roofs shall be kept free of vegetation which compromises or otherwise damages the integrity of materials or function of the roof, roof overhang, fascia, soffit, gutters, or other portion of the roof structure

**Comments:** Remove all tree limbs, and roof debris from the roof.

#### **Housing - Property Maintenance, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (h)(2)(b) Fences and accessory structures need repair - Fences and all accessory structures shall be maintained in a safe and substantial condition and be kept in good repair. Accessory structures shall include, but are not limited to sheds, storage buildings and detached carports and garages.

**Comments:** Repair the fence.

#### **Housing - Property Maintenance, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (h)(2)(h) Address numbers - Housing (dwellings) shall have approved address numbers, building numbers or approved building identification pursuant to Section R319 of the 2012 North Carolina State Residential Building Code.

**Comments:** Address numbers must be clearly visible from the public road, on a contrasting background and at least 4 inches high.

#### **Housing - Exterior painting, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (k) Paint - interior/exterior peeling -

All such portions shall be cleaned and free of flaking, loose or defective surfacing materials prior to painting or coating. All interior loose or peeling wall covering or paint shall be removed and the exposed surface shall be placed in a smooth and sanitary condition. No paint shall be used for interior painting of any dwelling or dwelling unit unless the paint is free from any lead pigment.

Lead renovation, repair and painting activities are enforced by the North Carolina Lead-Based Paint Hazard Program (N.C.G.S. § 130A-453.22 through 31, and 10A NCAC 41C .0900). Firms and individuals performing renovation, repair and painting that disturbs lead-based paint in housing or child occupied facilities built before 1978, are required to be certified if performing these activities for compensation and must follow specific work practices to prevent the spread of lead.

**Comments:** Address all peeling paint throughout the structure.

**Housing - Exterior painting, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (k) Painting, exterior unprotected -

Effective January 1, 1995, all exterior surfaces of buildings and structures, not inherently resistant to deterioration, shall be treated with a protective coating, such as paint or other suitable preservative, with sufficient frequency to prevent deterioration.

Lead renovation, repair and painting activities are enforced by the North Carolina Lead-Based Paint Hazard Program (N.C.G.S. § 130A-453.22 through 31, and 10A NCAC 41C .0900). Firms and individuals performing renovation, repair and painting that disturbs lead-based paint in housing or child occupied facilities built before 1978, are required to be certified if performing these activities for compensation and must follow specific work practices to prevent the spread of lead.

**Comments:** All wooden exterior components must be painted or covered with a protective coating.

**Housing - Stairs and steps, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(4)(g) Exit platforms or steps unsafe or not provided - Platforms and steps shall be provided to serve exits and shall be maintained in a safe condition.

**Comments:** Ensure that all platforms and steps are plumb, level and free of wood rot. This includes both the front and rear platform.

**Housing - Stairs and steps, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(4)(f) Stairways or rails in disrepair - Every stairway, including inside stairs and rails, porches, decks and appurtenances thereto shall be kept in sound condition and good repair.

**Comments:** Ensure that all stairways and rails are free of wood rot and are functioning as intended.

**Housing - Electrical Standards, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (i)(2)(b) GFCI protected outlets required on outdoor outlets - All outdoor outlets and electrical devices shall be ground-fault circuit interruption (GFCI) protected.

**Comments:** Rear outlet over the deck is not a GFCI protected exterior outlet.

**Housing - Electrical Standards, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (i)(1)(h) Electric wiring, device, appliance, or fixture does not meet standards - All electric wiring, devices, appliances and fixtures shall be installed and maintained in accordance with the current city and state electrical codes.

**Comments:** Breaker box, is missing the dead front cover. Exterior light fixtures are hanging loose in some areas or need to be installed.

**Housing - Foundation, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(1)(c) Foundation elements in disrepair or Engineer's report - All elements of the foundation, including structural members and masonry, shall be in good repair. An engineer's report indicating structural soundness satisfies this requirement.

**Comments:** Provide a structural engineer's report.

**Appendix B**

**Party(ies) of Interest:**

Mortgagee - Wells Fargo, Bank, N.A. C/O Ocwen Loan Servicing, LLC, West Palm Beach FL 33409

### III. Staff Recommendation

**Fees:**

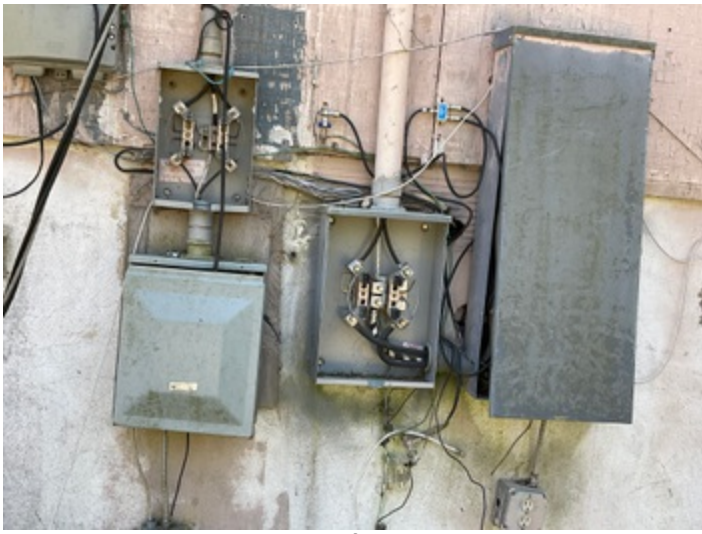
Administrative: \$ 250.00

HAB Prepped Notes: File Reviewed (Yes), Cost repair estimate(\$90,295.10), Structure value(\$132,585), Percentage(68.10%), Civil Penalties(\$600.00), Extension/Compliance agreement offered(Yes), Extension/Compliance agreement approved(Yes), Assigned to HAB Manager(Yes), Ownership Verified(Yes)

Staff recommends that the Housing Appeals Board adopt an Ordinance authorizing the following:

- 1)** That the Administrator be authorized to **Demolish** the structure in accordance with the City's Minimum Housing Code.
  
- 2)** 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 the following amount: \$250.00 Administrative Fee and **\$600** in Civil Penalties.

*Photographs*



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## Housing Appeals Board- Case Report

10/15/2025

**Docket #:** FY26-HAB018

**Address:** 802 HOLLOWAY ST - 111336

**Owner(s):** GRAHAM BENNETT SHANNON - 1008 SAN ANTONIO BLVD DURHAM, NC 27703

**Case #:** 22-4551

**Case Topic:** Repair Only (<50%)

**Property Vacant:** Yes

**Current Inspector:** HAB Manager

**Initiated by:** NIS CEO

**Staff recommendation:** Repair

**I. Background:** Robb Damman, HAB Manager  
Video Presentation

This address was inspected as part of the Code Enforcement Program. The initial inspection on **January 12, 2023** 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 **GRAHAM BENNETT SHANNON** on **December 8, 2022, April 25, 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 **GRAHAM BENNETT SHANNON** on **January 13, 2023, May 28, 2025**, directing that the building in question be **Repaired** to bring it into compliance with the Code on or before **June 30, 2025**. To date, that Order has not been complied with.

## II. Inspector's Presentation

Appendices A and B

### Appendix A

802 HOLLOWAY ST - 111336

#### **Housing - Walls, exterior, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(2)(a) Walls, exterior not sound, weatherproof or vermin proof - All exterior surfaces shall be structurally sound, waterproof, weatherproof, and vermin proof.

**Comments:** REPAIR/REPLACE ROTTED EXTERIOR SIDING

#### **Housing - Walls, exterior, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(2)(c) Windows do not easily open or broken panes, holes - Windows shall be easily openable, shall have panes without cracks or holes and the sash shall fit properly.

**Comments:** REPAIR/REPLACE BROKEN WINDOWS

#### **Housing - Entrances and exits, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (b)(6) Platforms and steps - Platforms and steps shall be provided, where appropriate, to serve exits and shall be maintained in a safe condition.

**Comments:** INSTALL REQUIRED PLATFORM AND STEPS ON EXTERIOR AT KITCHEN ENTRANCE/EXIT

#### **Housing - Roofs, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(3)(b) Gutters and downspouts in disrepair - Gutters and downspouts, if installed, shall be provided to properly collect, conduct and discharge the water from the roof and away from the structure.

**Comments:** REPAIR/REPLACE/REMOVE DAMAGED GUTTERS AND DOWNSPOUTS

#### **Housing - Roofs, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(3)(a) Roof leaks (not weathertight) - Roofing shall be provided to prevent the entrance of moisture and shall be maintained by renewal, repair, waterproofing or other suitable means.

**Comments:** REPAIR ROOF LEAKS ASSOCIATED WITH FALLEN CEILINGS

#### **Housing - Ceilings, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(5)(b) Ceilings contain holes or cracks that permit outside air - No holes or cracks which permit outside air to penetrate rooms shall be permitted.

**Comments:** REPAIR/REPLACE DETERIORATED AND/OR FALLEN CEILINGS

#### **Housing - Plumbing, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (j)(1)(b) Plumbing or plumbing fixtures needs repair - All plumbing, water closets and other plumbing fixtures in every dwelling or dwelling unit shall be installed and maintained in good working condition and repair and in accordance with the requirements of this article and the applicable portions of the North Carolina State Building Code.

**Comments:** REPAIR/REPLACE MISSING AND/OR DAMAGED WASTE AND/OR WATER SUPPLY LINES (PERMIT MAY BE REQUIRED)

#### **Housing - Walls, interior, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(6)(a)(1) Wall, interior has holes or cracks - Interior finish shall be free of excessive holes and cracks

**Comments:** REPAIR/REPLACE DAMAGED DRYWALL

### Appendix B

#### **Party(ies) of Interest:**

Party in Interest - William Kenneth Graham Estate c/o Robert E. Levin, Haywood, Denny and Miller, LLP  
Durham NC 27707

Party in Interest - William K. Graham II 1008 San Antonio Blvd Durham NC 27703

Party in Interest - Sydney G. Graham 1008 San Antonio Blvd Durham NC 27703

### III. Staff Recommendation

**Fees:**

Administrative: \$ 250.00

HAB Prepped Notes: File Reviewed (Yes), Cost repair estimate(\$46,091.25), Structure value(\$114,573.00), Percentage(40%), Civil Penalties(\$900.00), Extension/Compliance agreement offered(No), Extension/Compliance agreement approved(No), Assigned to HAB Manager(Yes), Ownership Verified(Yes)

Staff recommends that the Housing Appeals Board adopt an Ordinance authorizing the following:

- 1)** That the Administrator be authorized to **Repair** the structure in accordance with the City's Minimum Housing Code.
  
- 2)** 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 the following amount: \$250.00 Administrative Fee and **\$900** in Civil Penalties.

*Photographs*



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## Housing Appeals Board- Case Report

10/15/2025

**Docket #:** FY26-HAB019,

**Address:** 1019 ELMIRA AVE - 133188

**Owner(s):** LT WARE LLC - 2602 SAXAPAHAW BETHLEHEM CH RD GRAHAM, NC 27253

**Case #:** 24-3036

**Case Topic:** Repair or Demolish (>50%)

**Property Vacant:** Yes

**Current Inspector:** HAB Manager

**Initiated by:** Complaint

**Staff recommendation:** Demolish

**I. Background:** Robb Damman, HAB Manager  
Video Presentation

This address was inspected as part of the Code Enforcement Program. The initial inspection on **July 2, 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 **LT WARE LLC** on **July 3, 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 **LT WARE LLC** on **August 8, 2024**, directing that the building in question be **Repaired or Demolished** to bring it into compliance with the Code on or before **September 20, 2024**. To date, that Order has not been complied with.

## II. Inspector's Presentation

Appendices A and B

### Appendix A

1019 ELMIRA AVE - 133188

#### **Housing - Kitchen and kitchen facilities, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (a)(2)(a) Kitchen space and connections - Every dwelling unit shall contain a room or space for the preparation and cooking of food which shall include space and connections for a stove or other cooking facilities, space for dry food storage and space for refrigerated food storage and a kitchen sink.

**Comments:** Repair/Replace Kitchen Space and Connections To Provide Operable Kitchen Facilities

#### **Housing - Entrances and exits, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (b)(3) Exterior doors lack proper locking devices - Doors providing entrance and exit for any dwelling unit shall have locking devices capable of being operated from the inside and outside of the dwelling. Barrel bolts and hasps with padlocks are not adequate for primary doors. This requirement shall not apply to screen, storm or louver doors.

**Comments:** Install Proper Locking Devices On All Exterior Doors

#### **Housing - Light and ventilation standards, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (c)(4) Windows are cracked or not weather tight - Window frames and glass shall be reasonably weather tight, with no cracked or broken glass. If, in the opinion of the administrator, certain cracked glass does not present a danger or hazard, a waiver of this provision may be granted.

#### **Housing - Heating Facilities, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (e)(1) Heating facilities do not meet standards - Every dwelling and dwelling unit shall be provided with a heating unit which is properly designed, installed and balanced or adjusted, maintained in good and safe condition and which is capable of safely and adequately heating all habitable rooms, bathrooms and water compartments located therein to a temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilets. The required room temperatures shall be measured three feet above the floor near the center of the room and two feet inward from the center of each exterior wall. All rooms may vary in temperature by as much as ten degrees Fahrenheit. Either central or space heating units designed for continuous use may be used. Portable or temporary space heaters are strictly prohibited as a primary source of heat, but may be used to supplement heating.

**Comments:** Install Heating System To Provide Adequate Heating of All Habitable Rooms (MECHANICAL PERMIT REQUIRED)

#### **Housing - Fireplaces and chimneys, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (e)(4)(a) Chimney is not tight or safe - Chimneys shall be tight and safe, and capable of maintaining proper draft for carriage of combustion by-products to outside air.

**Comments:** Repair/Replace Damaged Chimney and/or Flue

#### **Housing - Walls, exterior, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(2)(a) Walls, exterior not sound, weatherproof or vermin proof - All exterior surfaces shall be structurally sound, waterproof, weatherproof, and vermin proof.

**Comments:** Repair/Replace All Missing, Damaged, and/or Rotted Exterior Siding

#### **Housing - Roofs, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(3)(b) Gutters and downspouts in disrepair - Gutters and downspouts, if installed, shall be provided to properly collect, conduct and discharge the water from the roof and away from the structure.

**Comments:** Repair/Replace Leaking Roof

#### **Housing - Roofs, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(3)(a) Roof leaks (not weathertight) - Roofing shall be provided to prevent the entrance of moisture and shall be maintained by renewal, repair, waterproofing or other suitable means.

**Comments:** Repair/Replace Leaking Roof

#### **Housing - Stairs and steps, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(4)(f) Stairways or rails in disrepair - Every stairway, including inside stairs and rails, porches, decks and appurtenances thereto shall be kept in sound condition and good repair.

**Comments:** Repair/Replace/Install Damaged and/or Missing Interior and Exterior Handrails and/or Pickets

**Housing - Ceilings, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(5)(d) Ceilings contain holes or cracks or deterioration - Ceilings shall be maintained free of holes, excessive cracks or loose or deteriorated materials.

**Comments:** Repair/Replace All Damaged and/or Missing Interior Drywall Ceilings

**Housing - Walls, interior, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (g)(6)(c) Walls, interior contains loose wall materials - There shall be no loose plaster, boards, or other loose wall materials.

**Comments:** Repair/Replace All Damaged Interior Wall Surfaces

**Housing - Electrical Standards, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (i)(1)(h) Electric wiring, device, appliance, or fixture does not meet standards - All electric wiring, devices, appliances and fixtures shall be installed and maintained in accordance with the current city and state electrical codes.

**Comments:** Repair/Replace All Vandalized Interior and/or Exterior Wiring and/or Fixtures (ELECTRICAL PERMIT REQUIRED)

**Housing - Plumbing, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (j)(1)(b) Plumbing or plumbing fixtures needs repair - All plumbing, water closets and other plumbing fixtures in every dwelling or dwelling unit shall be installed and maintained in good working condition and repair and in accordance with the requirements of this article and the applicable portions of the North Carolina State Building Code.

**Comments:** Repair/Replace All Vandalized and/or Missing Plumbing Lines and Fixtures (PLUMBING PERMIT REQUIRED)

**Housing - Exterior painting, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (k) Paint - interior/exterior peeling -

All such portions shall be cleaned and free of flaking, loose or defective surfacing materials prior to painting or coating. All interior loose or peeling wall covering or paint shall be removed and the exposed surface shall be placed in a smooth and sanitary condition. No paint shall be used for interior painting of any dwelling or dwelling unit unless the paint is free from any lead pigment.

Lead renovation, repair and painting activities are enforced by the North Carolina Lead-Based Paint Hazard Program (N.C.G.S. § 130A-453.22 through 31, and 10A NCAC 41C .0900). Firms and individuals performing renovation, repair and painting that disturbs lead-based paint in housing or child occupied facilities built before 1978, are required to be certified if performing these activities for compensation and must follow specific work practices to prevent the spread of lead.

**Comments:** Properly Seal and Finish Paint All Interior/Exterior Surfaces

**Housing - Fire and Safety Standards, Durham City Code Chpt 10, Art VI || Open**

Violation 10-234 (l)(3) Smoke detectors missing or not working - All dwellings and dwelling units shall be equipped with a smoke detector (battery operated or 110 volt) which has been listed by a testing agency (such as Underwriters Laboratories) and such detector shall be installed in each sleeping room and outside of each sleeping area inside the dwelling unit. All smoke detectors shall be located on or near the ceiling of the room wherein it is located and shall be installed in accordance with the manufacturer's instructions and maintained in proper working condition. When a dwelling unit is subject to a rental agreement, the landlord and/or tenant shall be responsible for placement of batteries in the smoke detector as provided in G.S. 42-42(a)(5).

**Comments:** Install Smoke Detectors As Required By Code

**Appendix B**

**Party(ies) of Interest:**

Registered Agent - LT WARE LLC C/O Tigre Chucino, Luis A. GRAHAM NC 27253

Party in Interest - Tameka Blalock 2544 Hope Valley Road Durham NC 27707

### III. Staff Recommendation

**Fees:**

Administrative: \$ 250.00

HAB Prepped Notes: File Reviewed (Yes), Cost repair estimate( \$163,745.89), Structure value(\$294,273.00), Percentage(55.64%), Civil Penalties(\$300), Extension/Compliance agreement offered(No), Extension/Compliance agreement approved(No), Assigned to HAB Manager(Yes), Ownership Verified(Yes)

Staff recommends that the Housing Appeals Board adopt an Ordinance authorizing the following:

- 1)** That the Administrator be authorized to **Demolish** the structure in accordance with the City's Minimum Housing Code.
- 2)** 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 the following amount: \$250.00 Administrative Fee and **\$300** in Civil Penalties.

Photographs



2



3



1