

CITY OF DURHAM
DEPARTMENT OF NEIGHBORHOOD IMPROVEMENT SERVICES
807 E MAIN ST, DURHAM, NC 27701
HOUSING APPEALS BOARD MINUTES
May 21, 2025, 5:30 PM

Board Members Present

Indranil (Nil) Ghosh
John Griffin
Jenna Houchins
Elisabeth Wiener
Darren Chester

Absent

Gwendolyn Barlow

Staff Members Present

Clarence Harris, Housing Code Administrator
Robb Damman, HAB Manager
Bobby Matthews, CE Supervisor
Sofia Hernandez, City Attorney
Laurin Milton, Omar Giles and Dawn Hill-Alston and Kurt Jordan, CEO's

Property Representation Present

Jeffrey W. Ellis, 1710 Ruffin St.
Attorney Michelle M. Schallio, 1012 Edith St.
Maurice and Ellen Womack, 1304 Holloway St.

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 March 19, 2025 was made by Elisabeth Wiener and seconded by Darren Chester. The vote was unanimous.

ADJUSTMENTS TO THE AGENDA – Chair Nil Ghosh moved cases D through H on the agenda to the beginning of case presentation due to owner attendance.

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

Docket #: FY25-HAB054
Address: 1710 RUFFIN ST - 105960
Owner(s): JEFFREY WARREN ELLIS - 1710 RUFFIN ST DURHAM, NC 27701
Case #: 18-6145
Case Topic: Repair Only (<50%)
Property Vacant: No
Current Inspector: Dawn Hill-Alston
Initiated by: NIS CEO

Robb Damman, HAB Manager, presented the background and video on Docket: FY25-HAB054. The initial inspection on October 29, 2018 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 JEFFREY WARREN ELLIS on October 30, 2018, 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 JEFFREY WARREN ELLIS on December 4, 2018, directing that the building in question be Repaired to bring it into compliance with the Code on or before January 3, 2019. To date, that Order has not been complied with.

Dawn Hill-Alston, Code Enforcement Officer stated the findings on case #18-6145.

Officer Hill-Alston stated that "Appendix A" is a true and accurate reflection of the defects as of May 21, 2025, and asked the Board to receive and accept "Appendix A" into the record as evidence.

Jeffrey Warren Ellis, the property owner, stated he was contacted by Officer Dawn Hill-Alston in 2018. His stated delays in repairs were due to waiting to hear from Habitat for Humanity and the Neighborhood Preservation Program, also citing personal health issues and lack of funds.

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. Civil penalties do not apply.

A motion was introduced by Elisabeth Weiner, DOCKET #FY25-HAB054, the administrator be authorized to repair the structure at 1710 RUFFIN ST - 105960, 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 John Griffin; motion passed 5-0.

Docket #: FY25-HAB055

Address: 1012 EDITH ST(Structure) - 100735

Owner(s): EARLY THOMPSON BROADWAY JR - 401 WINDY CREEK CIR TIMBERLAKE, NC 27583

Case #: 22-0465

Case Topic: Repair Only (<50%)

Property Vacant: No

Current Inspector: Dawn Hill-Alston

Initiated by: Complaint

Staff recommendation: Repair

Robb Damman, HAB Manager, presented the background and video on Docket: FY25-HAB055. The initial inspection on March 8, 2022 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 EARLY THOMPSON BROADWAY JR on March 10, 2022, August 22, 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 EARLY THOMPSON BROADWAY JR on April 14, 2022, October 3, 2024, directing that the building in question be Repaired to bring it into compliance with the Code on or before November 2, 2024. To date, that Order has not been complied with.

Dawn Hill-Alston, Code Enforcement Officer, stated the findings on case # Case #: 22-0465.

Officer Hill-Alston stated that "Appendix A" is a true and accurate reflection of the defects as of May 21, 2025 and asked the Board to receive and accept "Appendix A" into the record as evidence.

Michelle M. Schallio with RS Legal Group represented the Broadways. She acknowledged that repairs need to be done on the property; however, the court has made findings that the previous tenant conducted a lot of the damage creating it himself, leaving it for the Broadways to fix. The tenant has lost multiple city hearings that she has represented the Broadways on and the tenant is harassing the owners. Her client Mr. Broadway has problems understanding due to age and disability. He has been the breadwinner, the one that has handled all the legal and maintenance issues, but this is no longer possible. The wife has taken over and has a lot of catching up to do. To handle the repairs, they moved their son to Durham to make the repairs while living in the property, but he is no longer living in the property, nor is he making the repairs. The goal for him was to conduct the repairs and get the property back to livable conditions. The tenant has destroyed the property. Attorney Schallio is engaged in helping them understand.

Ms. Schallio requested patience and not add further financial concerns but give them the opportunity to work through the issues and get the properties back to livable conditions.

Ms. Schallio asked the board for six (6) months, not counting that as sworn testimony.

Officer Hill-Alston stated compliance agreements were offered 10/24/22, and 6/7/2022, but not returned.

Ms. Schallio stated that they haven't officially gotten a contractor and replied yes when asked if it is their intent to make the repairs.

When asked if there were any open items subject to a lawsuit, Ms. Schallio's response was no.

When asked if there was an open line of communication with NIS, Ms. Schallio's response was not yet, but that is her intent.

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 \$1,800.00 in Civil Penalties.

A motion was introduced by Jenna Houchins, DOCKET #FY25-HAB055, the administrator be authorized to repair the structure at 1012 EDITH ST - 100735 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 Darren Chester; the motion passed 5-0.

Attorney Schallio asked a question regarding the penalties for the three cases related to 1012 Edith Street.

Mr. Damman clarified that each case incurs a \$250 administrative fee and \$1,800 in civil penalties.

Docket #: FY25-HAB056

Address: 1012 EDITH ST B - 100735

Owner(s): EARLY THOMPSON BROADWAY JR - 401 WINDY CREEK CIR TIMBERLAKE, NC 27583

Case #: 22-0424

Case Topic: Repair Only (<50%)

Property Vacant: No

Current Inspector: Dawn Hill-Alston

Initiated by: Durham One Call

Staff recommendation: Repair

Robb Damman, HAB Manager, presented the background on Docket #: FY25-HAB056. The initial inspection on March 8, 2022 revealed that a Duplex structure was not in compliance with the City of Durham Minimum Housing Code. The inspection revealed the violation listed in Appendix A of the case report.

Complaint and Notice(s) were served on EARLY THOMPSON BROADWAY JR on March 9, 2022, August 22, 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 EARLY THOMPSON BROADWAY JR on April 14, 2022, October 3, 2024, directing that the building in question be Repaired to bring it into compliance with the Code on or before November 2, 2024. To date, that Order has not been complied with.

Dawn Hill-Alston, Code Enforcement Officer, stated the findings on case # Case #: 22-0424.

Officer Hill-Alston stated that "Appendix A" is a true and accurate reflection of the defects as of May 21, 2025 and asked the Board to receive and accept "Appendix A" into the record as evidence.

Attorney Schallio's testimony is the same as in the previous case for Early Thompson Broadway Jr.

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 \$1,800.00 in Civil Penalties.

A motion was introduced by John Griffin, DOCKET #FY25-HAB056, the administrator be authorized to repair the structure at 1012 EDITH ST - 100735 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 Darren Chester; the motion passed 5-0.

Docket #: FY25-HAB057

Address: 1012 EDITH ST aka 1014 Edith A - 100735

Owner(s): EARLY THOMPSON BROADWAY JR - 401 WINDY CREEK CIR TIMBERLAKE, NC 27583

Case #: 22-0453

Case Topic: Repair Only (<50%)

Property Vacant: Yes

Current Inspector: Dawn Hill-Alston

Initiated by: Complaint

Staff recommendation: Repair

Robb Damman, HAB Manager, presented the background on Docket #: FY25-HAB057. The initial inspection on March 8, 2022 revealed that a Duplex structure was not in compliance with the City of Durham Minimum Housing Code. The inspection revealed the violation listed in Appendix A of the case report.

Complaint and Notice(s) were served on EARLY THOMPSON BROADWAY JR on March 10, 2022, October 16, 2024, that set a hearing date to discuss the violations and determine the course of action for compliance. The owner DID appear for the scheduled hearing(s).

Findings of Fact and Order(s) were served on EARLY THOMPSON BROADWAY JR on April 14, 2022, November 22, 2024, directing that the building in question be Repaired to bring it into compliance with the Code on or before December 22, 2024. To date, that Order has not been complied with. Dawn Hill-Alston, Code Enforcement Officer stated the findings on case # Case #: 22-0424.

Dawn Hill-Alston, Code Enforcement Officer, stated the findings on case # Case #: 22-0424.

Officer Hill-Alston stated that "Appendix A" is a true and accurate reflection of the defects as of May 21, 2025 and asked the Board to receive and accept "Appendix A" into the record as evidence.

Attorney Schallio's testimony is the same as in the previous two cases for Early Thompson Broadway Jr.

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 \$1,200.00 in Civil Penalties.

A motion was introduced by John Griffin, DOCKET #FY25-HAB057, the administrator be authorized to repair the structure at 1012 EDITH ST - 100735 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; the motion passed 5-0.

Docket #: FY25-HAB058
Address: 1304 HOLLOWAY ST., UNIT B - 112900
Owner(s): WOMACK MAURICE - 1304 HOLLOWAY ST DURHAM, NC 27701
Case #: 23-0045
Case Topic: Repair Only (<50%)
Property Vacant: Yes
Current Inspector: Laurin Milton
Initiated by: Durham One Call
Staff recommendation: Repair

Robb Damman, HAB Manager, presented the background on Docket #: FY25-HAB048. The initial inspection on January 9, 2023 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 WOMACK MAURICE on January 10, 2023, November 11, 2024, that set a hearing date to discuss the violations and determine the course of action for compliance. The owner DID appear for the scheduled hearing(s).

Findings of Fact and Order(s) were served on WOMACK MAURICE on February 17, 2023, December 16, 2024, directing that the building in question be Repaired to bring it into compliance with the Code on or before January 16, 2025. To date, that Order has not been complied with.

Laurin Milton, Code Enforcement Officer stated the findings on case # Case #: 23-0045.

Officer Milton stated that "Appendix A" is a true and accurate reflection of the defects as of May 21, 2025 and asked the Board to receive and accept "Appendix A" into the record as evidence.

Officer Milton stated the following: April 10th spoke to the owners who stated they were seeking a second contractor to make repairs; he was also contacted on Nov 21, 2024, owner stated they were hoping to sell the property and were closing Dec. 2024; Feb. 2, he had a walk through meeting with the owners where the remaining violations were identified and they were expected to make those repairs.

Officer Milton stated he cited the violations associated with the complaints in Unit B. There are 3 remaining violations.

The Housing Code Administrator responded to a question regarding where the property owner lives. As it relates to the addresses listed on the notices and the letter, that information derives GIS or Durham Go Maps. We've identified multiple addresses during a title search and notices were mailed to those addresses as well.

Officer Milton stated the complaint came in through the tenant. Shortly thereafter, the tenant vacated. The unit is currently vacant.

A compliance agreement was offered and is still available to the owners.

The owners, Maurice and Ellen Womack detailed issues with previous tenants and financial strains affecting their ability to make repairs. The owners asked the board not to put any extra penalty costs on them and asked for six (6) months to make repairs. They currently do not reside in the duplex. They moved to Wilson. They have a handyman who can do some repairs.

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 and \$1,200.00 in Civil Penalties.

A motion was introduced by Elisabeth Wiener, DOCKET #FY25-HAB058, Case 23-0045, the administrator be authorized to repair the structure at 1304 HOLLOWAY ST., 112900 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 John Griffin; the motion passed 4-0, 1 abstention.

Docket #: FY25-HAB051

Address: 810 S ROXBORO ST - 118625

Owner(s): CALLIS CONTRACTORS INC - c/o Jesse T Callis, registered agent 1306 BROAD ST

Case #: 24-3204

Case Topic: Repair or Demolish (>50%)

Property Vacant: Yes

Current Inspector: Michelle Sellers

Initiated by: NIS CEO

Staff recommendation: Demolish

Chair Nil asked for and received confirmation from staff that the assessed tax values listed are based on the most recent revaluation.

Robb Damman, HAB Manager, presented the background on Docket #: FY25-HAB051. The initial inspection on July 16, 2024 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 CALLIS CONTRACTORS INC on August 13, 2024, September 5, 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 CALLIS CONTRACTORS INC on October 9, 2024, directing that the building in question be Repaired or Demolished to bring it into compliance with the Code on or before December 12, 2024. To date, that Order has not been complied with.

Laurin Milton, (Sitting in for Michelle Sellers) Code Enforcement Officer stated the findings on case # Case #: 24-3204. This case is a restart from October 2017.

Officer Milton stated that "Appendix A" is a true and accurate reflection of the defects as of May 21, 2025 and asked the Board to receive and accept "Appendix A" into the record as evidence.

Housing Code Administrator Clarence Harris stated the case was initially started as a repair only process and during the assessment associated with the cost of repairs, we identified it as a repair or demolish process and restarted the case.

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 \$5,000.00 in Civil Penalties.

A motion was introduced by Elisabeth Wiener, DOCKET #FY25-HAB051, Case 24-3204, the administrator be authorized to demolish the structure at 810 S ROXBORO ST - 118625 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 with a recommendation to amend the motion from repair to demolish for the structure at 810 S ROXBORO ST – 118625, Case 24-3204.

The board approved a motion to recommend and demolish the structure, despite Neil Gosh's reservations about demolishing a potentially repairable house. The motion was accepted. The motion passed 5-0.

Docket #: FY25-HAB052

Address: 316 E UMSTEAD ST - 118303

Owner(s): MARVENIA M PAGE - 2900 E PETTIGREW ST DURHAM, NC 27703

Case #: 23-5687

Case Topic: Unsafe Building Property
Vacant: Yes
Current Inspector: Michelle Sellers
Initiated by: NIS CEO
Staff recommendation: Demolish

Robb Damman, HAB Manager, presented the background on Docket #: FY25-HAB052. The initial inspection on December 8, 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 MARVENIA M PAGE on 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 MARVENIA M PAGE on directing that the building in question be Repaired or Demolished to bring it into compliance with the Code on or before February 22, 2024. To date, that Order has not been complied with.

Laurin Milton, Code Enforcement Officer stated the findings on case # Case #: 23-5687.

Officer Milton stated that "Appendix A" is a true and accurate reflection of the defects as of May 21, 2025 and asked the Board to receive and accept "Appendix A" into the record as evidence.

A compliance agreement was approved April 24, 2024. An extension was granted until September 15, 2024. To date, nothing has happened.

Housing Code Administrator, Clarence Harris stated that this is an unsafe building process. The city is seeking an ordinance to move forward with the demolition. The owner took it upon himself to stop an active contract the city had to demolish the structure, and he deconstructed it to the foundation without cleaning up the debris. What remains requires remediation.

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 \$4,200.00 in Civil Penalties.

A motion was introduced by Jenna Houchins, DOCKET #FY25-HAB052, the administrator be authorized to demolish the structure at 316 E UMSTEAD ST - 118303 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 Darren Chester; the motion passed 5-0.

Board member Jenna Houchins was excused by the Chair. The board still has a quorum to continue.

Docket #: FY25-HAB053

Address: 2300 S ALSTON AVE - 132977

Owner(s): NOEL A DALE - 2300 S ALSTON AVE DURHAM, NC 27707

Case #: 23-4152

Case Topic: Repair or Demolish (>50%)

Property Vacant: Yes

Current Inspector: Omar Giles

Initiated by: Other

Staff recommendation: Demolish

Robb Damman, HAB Manager, presented the background on Docket #: FY25-HAB053. The initial inspection on June 4, 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 NOEL A DALE on June 17, 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 NOEL A DALE on July 23, 2024, directing that the building in question be Repaired or Demolished to bring it into compliance with the Code on or before September 24, 2024. To date, that Order has not been complied with. Omar Giles, Code Enforcement

Officer Giles stated the findings on case # Case #: 23-4152. The property was initially inspected by Michael Vaughn on June 4, 2024.

Officer Giles stated that "Appendix A" is a true and accurate reflection of the defects as of May 21, 2025 and asked the Board to receive and accept "Appendix A" into the record as evidence.

Robb Damman proceeded with staff recommendation that the Housing Appeals Board adopt an Ordinance authorizing the administrator be authorized to demolish the structure 118303 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. As of today, the owner has accumulated a \$250.00 Administrative Fee and \$2,100.00 in Civil Penalties.

A motion was introduced by John Griffin, DOCKET #FY25-HAB053, the administrator be authorized to demolish the structure at 2300 S ALSTON AVE – 132977, 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 Nil Ghosh with a friendly amendment to update the parcel number to 132977. The motion was accepted; the motion passed 5-0.

Docket #: FY25-HAB059
Address: 2701 AUGUSTA DR - 106907
Owner(s): SUSAN M BORCUK - 2701 AUGUSTA DR DURHAM, NC 27707
Case #: 24-5059
Case Topic: Repair or Demolish (>50%)
Property Vacant: Yes
Current Inspector: Michelle Sellers
Initiated by: NIS CEO
Staff recommendation: Demolish

Robb Damman, HAB Manager, presented the background on Docket #: FY25-HAB059. The initial inspection on November 20, 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 SUSAN M BORCUK on November 26, 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 SUSAN M BORCUK on January 6, 2025, directing that the building in question be Repaired or Demolished to bring it into compliance with the Code on or before March 9, 2025. To date, that Order has not been complied with.

Laurin Milton, Code Enforcement Officer stated the findings on case # Case #: 25-5059.

Officer Milton stated that "Appendix A" is a true and accurate reflection of the defects as of May 21, 2025 and asked the Board to receive and accept "Appendix A" into the record as evidence.

The Housing Code Administrator confirmed that the structure is not in a historical district. There is an electrical permit only, there is no building permit. Work was being done without a building permit.

This case is a restart. The initial case was restarted in 2018.

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 \$600.00 in Civil Penalties.

A motion was introduced by Darren Chester, DOCKET #FY25-HAB059, Case 24-5059 the administrator be authorized to demolish the structure at 2701 AUGUSTA DR - 106907, 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-HAB060
Address: 1715 FOREST RD - 100931
Owner(s): SATTERFIELD, TIMOTHY W - 1715 FOREST RD DURHAM, NC 27705
Case #: 22-1690
Case Topic: Repair Only (<50%)
Property Vacant: No
Current Inspector: Kurt Jordan
Initiated by: NIS CEO
Staff recommendation: Repair

Robb Damman, HAB Manager, presented the background on Docket #: FY25-HAB060. The initial inspection on May 17, 2022 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 SATTERFIELD, TIMOTHY W on May 18, 2022, 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 SATTERFIELD, TIMOTHY W on June 22, 2022, July 22, 2022, October 1, 2024, directing that the building in question be Repaired to bring it into compliance with the Code on or before November 4, 2024. To date, that Order has not been complied with.

Kurt Jordan, Code Enforcement Officer stated the findings on case # Case #: 22-1690. The property was initially inspected by Officer Dawn Hill-Alston.

Officer Jordan stated that "Appendix A" is a true and accurate reflection of the defects as of May 21, 2025 and asked the Board to receive and accept "Appendix A" into the record as evidence.

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 Elisabeth Wiener, DOCKET #FY25-HAB060, Case 22-1690 the administrator be authorized to repair the structure at 1715 FOREST RD – 100931 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 Darren Chester; the motion passed 5-0.

General Business

- Better recording equipment with transcription. Equipment that can be plugged into AI.
- Promotional material to explain the City of Durham reconstruction

The meeting was adjourned at 7:15 pm following a motion made by Darren Chester, seconded by Nil Ghosh. The vote to adjourn was unanimous.

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