

**CITY OF DURHAM**  
**DEPARTMENT OF NEIGHBORHOOD IMPROVEMENT SERVICES**  
**807 E MAIN ST, DURHAM, NC 27701**  
**HOUSING APPEALS BOARD MINUTES**  
**January 15, 2025, 5:30 PM**

**Board Members Present**

Indranil (Nil) Ghosh  
Gwendolyn Barlow  
John Griffin  
Elisabeth Wiener

**Absent**

Darren Chester, Absent  
Jenna Houchins, Absent

**Staff Members Present**

Clarence Harris, Housing Code Administrator  
Robb Damman, HAB Manager  
Bobby Matthews, CE Supervisor  
Sofia Hernandez, City Attorney

**Property Representation Present**

None

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 December 18, 2024 with the correction of Neil to Nil on page 6 was made by Nil Ghosh. The vote was unanimous.

ADJUSTMENTS TO THE AGENDA – On the cover page, the parcel number was changed from 132037 to 132038 for the following cases: Docket No.: FY25-HAB038, FY25-HAB039, FY25-HAB041 and FY25-HAB043. On page 1, the Docket number was changed from FY24-HAB036 to FY25-HAB036. On page 3, the Docket number was changed from FY24-HAB037 to FY25-HAB037.

Docket #: FY25-HAB036

Address: 926 WADESBORO ST, 2C - 132037

Owner(s): LYNNHAVEN APARTMENT LLC - ATTN EZEKIEL FDN PROPEL CO PO BOX 120140

Case #: 24-5293

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 FY24-HAB036 (later corrected to FY25-HAB036). The initial inspection on December 18, 2024, 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 6, 2025, and the owner was given 72 hours to make repairs or be subject to City remediation of emergency conditions. As of January 15, 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 associated with lack of heat.

Clarence Harris, Housing Code Administrator (HCA) stated the findings on 926 WADESBORO ST, Unit 2C.

Clarence Harris stated that "Appendix A" is a true and accurate reflection of the defects as of January 15, 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 \$300.00 in Civil Penalties.

A motion was introduced by Gwendolyn Barlow, DOCKET #FY24-HAB036 (later corrected to FY25-HAB036), the administrator be authorized to repair the structure at 926 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 John Griffin; motion passed 4-0.

Docket #: FY25-HAB037

Address: 920 WADESBORO ST, 3G - 132037

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

Case #: 24-5316

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 #: FY24-HAB037 (later corrected to FY25-HAB037). The initial inspection on December 19, 2024, 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 6, 2025 and the owner was given 72 hours to make repairs or be subject to City remediation of emergency conditions. As

of January 15, 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 associated with lack of heat.

Clarence Harris, Housing Code Administrator (HCA) stated the findings on case # Case #: 24-5316.

Clarence Harris stated that "Appendix A" is a true and accurate reflection of the defects as of January 15, 2025 and asked the Board to receive and accept "Appendix A" into the record as evidence.

A motion was introduced by Gwendolyn Barlow to reconsider DOCKET #FY25-HAB036. The motion was seconded by Elisabeth Wiener; passed 4-0.

A motion was introduced by Gwendolyn Barlow to amend the previous motion with the correct DOCKET #FY25-HAB036. The motion was seconded by Elisabeth Wiener; passed 4-0.

Roll call vote was taken on amended motion. The vote was unanimous.

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 found in Chapter 10, Article VI of the Durham City Code including Sections 10-239 (j) and (1). 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-HAB037, the administrator be authorized to repair the structure at 920 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 John Griffin; motion passed 4-0.

Docket #: FY25-HAB038

Address: 905 WADESBORO ST, #B - 132038

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

Case #: 25-0023

Case Topic: Emergency Repair

Property Vacant: No Current

Inspector: Wilma Oliver

Initiated by: NIS CEO

Staff recommendation: Repair

Robb Damman, HAB Manager, presented the background on Docket #: FY25-HAB038. The initial inspection on January 3, 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 6, 2025 and the owner was given 72 hours to make repairs or be subject to City remediation of emergency conditions. As of January 15, 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 associated with lack of heat.

Clarence Harris, Housing Code Administrator (HCA) stated the findings on case # Case #: 25-0023.

Clarence Harris stated that "Appendix A" is a true and accurate reflection of the defects as of January 15, 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 found in Chapter 10, Article VI of the Durham City Code including Sections 10-239 (j) and (1). 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-HAB038, the administrator be authorized to repair the structure at 905 WADESBORO ST. - 132038 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 4-0.

Docket #: FY25-HAB039

Address: 911 WADESBORO ST, #H - 132038

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

Case #: 25-0024

Case Topic: Emergency Repair

Property Vacant: No Current

Inspector: Wilma Oliver

Initiated by: NIS CEO

Staff recommendation: Repair

Robb Damman, HAB Manager, presented the background on Docket #: FY25-HAB039. The initial inspection on January 3, 2025, and 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 6, 2025 and the owner was given 72 hours to make repairs or be subject to City remediation of emergency conditions. As of January 15, 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 associated with lack of heat.

Clarence Harris, Housing Code Administrator (HCA) stated the findings on case # Case #: 25-25-0024.

Clarence Harris stated that "Appendix A" is a true and accurate reflection of the defects as of January 15, 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 found in Chapter 10, Article VI of the Durham City Code including Sections 10-239 (j) and (1). 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-HAB039, the administrator be authorized to repair the structure at 911 WADESBORO ST. - 132038 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 4-0.

Docket #: FY25-HAB040

Address: 912 WADESBORO ST, #G - 132037

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

Case #: 25-0025

Case Topic: Emergency Repair

Property Vacant: No Current

Inspector: Wilma Oliver

Initiated by: NIS CEO

Staff recommendation: Repair

Robb Damman, HAB Manager presented the background on Docket #: FY25-HAB040. The initial inspection on January 3, 2025, and 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 6, 2025 and the owner was given 72 hours to make repairs or be subject to City remediation of emergency conditions. As of January 15, 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 associated with lack of heat.

Clarence Harris, Housing Code Administrator (HCA) stated the findings on case # Case #: 25-0025.

Clarence Harris stated that "Appendix A" is a true and accurate reflection of the defects as of January 15, 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 found in Chapter 10, Article VI of the Durham City Code including Sections

10-239 (j) and (1). 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-HAB040, the administrator be authorized to repair the structure at 912 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 John Griffin; motion passed 4-0.

Docket #: FY25-HAB041

Address: 915 WADESBORO ST, #E - 132038

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

Case #: 25-0026

Case Topic: Emergency Repair

Property Vacant: No Current

Inspector: Wilma Oliver

Initiated by: NIS CEO

Staff recommendation: Repair

Robb Damman, HAB Manager presented the background on Docket #: FY25-HAB041. The initial inspection on January 3, 2025, and 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 6, 2025 and the owner was given 72 hours to make repairs or be subject to City remediation of emergency conditions. As of January 15, 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 associated with lack of heat.

Clarence Harris, Housing Code Administrator (HCA) stated the findings on case # Case #: 25-0026.

Clarence Harris stated that "Appendix A" is a true and accurate reflection of the defects as of January 15, 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 found in Chapter 10, Article VI of the Durham City Code including Sections 10-239 (j) and (1). 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-HAB041, the administrator be authorized to repair the structure at 915 WADESBORO ST. - 132038 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 4-0.

Docket #: FY25-HAB042

Address: 920 WADESBORO ST, #3C - 132037

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

Case #: 25-0047

Case Topic: Emergency Repair

Property Vacant: No Current

Inspector: Wilma Oliver

Initiated by: NIS CEO

Staff recommendation: Repair

Robb Damman, HAB Manager presented the background on Docket #: FY25-HAB042. The initial inspection on January 7, 2025, and 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 8, 2025 and the owner was given 72 hours to make repairs or be subject to City remediation of emergency conditions. As of January 15, 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 associated with lack of heat.

Clarence Harris, Housing Code Administrator (HCA) stated the findings on case # Case #: 25-0047.

Clarence Harris stated that "Appendix A" is a true and accurate reflection of the defects as of January 15, 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 found in Chapter 10, Article VI of the Durham City Code including Sections 10-239 (j) and (1). 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-HAB042, the administrator be authorized to repair the structure at 920 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 John Griffin; motion passed 4-0.

Docket #: FY25-HAB043

Address: 905 WADESBORO ST, #H - 132038

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

Case #: 25-0045

Case Topic: Emergency Repair

Property Vacant: No Current

Inspector: Wilma Oliver

Initiated by: NIS CEO

Staff recommendation: Repair

Robb Damman, HAB Manager presented the background on Docket #: FY25-HAB043. The initial inspection on January 7, 2025, and 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 8, 2025 and the owner was given 72 hours to make repairs or be subject to City remediation of emergency conditions. As of January 15, 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 associated with lack of heat.

Clarence Harris, Housing Code Administrator (HCA) stated the findings on case # Case #: 25-0025.

Clarence Harris stated that "Appendix A" is a true and accurate reflection of the defects as of January 15, 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 found in Chapter 10, Article VI of the Durham City Code including Sections 10-239 (j) and (1). 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-HAB043, the administrator be authorized to repair the structure at 905 WADESBORO ST. - 132038 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 4-0.

A motion was introduced by Nil Ghosh to approve the Fiscal Year 2024 Housing Appeals Board Annual Report. The motion was seconded by Gwendolyn Barlow.

Meeting adjourned by Neil Ghosh at 6:21 pm

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