

934 Juno Avenue, Appeal of John Starbeck (CPH 10/20)

John Starbeck appeared.

Ms. Moermond requested a staff report.

Matt Dornfeld, DSI – Vacant Buildings Supervisor, reported that Orders were issued to the property owner on September 2, 2010 for a Fire Inspection for restoring water utility shut-off. On September 20, 2010, water was still not restored. On September 24, 2010, Inspector Rick Gavin condemned the home for nine (9) violations. The main violations were water and electrical shut-off and electrical meter having been tampered with. On September 25, 2010, Inspector Senty opened a Category II Vacant Building file; he checked with water service and found that the outstanding water bill was paid only to the point where it would put into a new shut-off cycle. About half of the bill remains to be paid. He checked with Xcel and found that the electricity remains off. They were told that a new tenant was moving in. When the inspector told Xcel that the property had been foreclosed past redemption period and was condemned, and that it did not have a current Certificate of Occupancy, Xcel stated that they were not going to restore power until the bill was taken care of. Mr. Senty issued Orders to the property owner, Federal National Mortgage Association (Fannie Mae).

Mr. Starbeck stated that after it went into foreclosure, he had no idea who owned the property. They had lost all communication with the previous owner. They have maintained the property going on three (3) years all along trying to figure who owned the property and how that was going to affect him. He had no idea when the water and power was going to be shut off because all the information was going to the owner. When he went to pay the bills, they would make the receipts out in Mr. Starbeck's name. He originally rented the property through Remax. At that time, the building wasn't up to code. He got it up to code. He stopped sending rent checks the last couple of months and put the money into a separate account. They expected a response from the original owner but didn't receive one.

Ms. Moermond asked how much the Xcel bill is. Mr. Starbeck replied, "\$2,100." Much of the back part of the duplex is on his meter (he had a verbal agreement). He likes the neighborhood and the home and he would like to stay there. Rent is \$650 per month but Mr. Starbeck was working to on the place to fix it up, so the rent per month was dropped to \$450 per month.

Ms. Moermond stated that they must have gas and electric to live there. She said that she can give them only a little bit more time to getting the power restored and a Certificate of Occupancy reinstated. October 31, 2010 is the time limit.

**Ms. Moermond will recommend that the appeal be denied and an extension granted to October 31, 2010 to have the power restored or they must vacate the property. If the Certificate of Occupancy is not restored at that point, the appellants may be at the property between 8:00 a.m. and 8:00 p.m. to move out.**