

Chief Craig Bucheit
Board Member

Chief Steven Dawson
Board Member

Lorie DiStaola
Board Member

Myra Hargrove
Board Member

Eugene Scharf
Secretary

J. Scott Scrimizzi
Chairperson

Ashlee Willis
Board Member

Roll Call:

| | | | | | | |
|---------|--------|----------|----------|--------|-----------|--|
| Bucheit | Dawson | DiStaola | Hargrove | Scharf | Scrimizzi | |
| | | | | | | |

Motion to Temporarily Appoint Board Secretary as Acting Chairperson

| | | | | | | |
|---------|--------|----------|----------|--------|-----------|--|
| Bucheit | Dawson | DiStaola | Hargrove | Scharf | Scrimizzi | |
| | | | | | | |

Motion to Approve Ashlee Willis as the Greater Hamilton Chamber of Commerce Representative

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|---------|--------|----------|----------|--------|-----------|--|
| Bucheit | Dawson | DiStaola | Hargrove | Scharf | Scrimizzi | |
| | | | | | | |

Motion to Approve the Recorded Minutes and Written Summary of the April 28, 2016 Meeting

| | | | | | | |
|---------|--------|----------|----------|--------|-----------|--------|
| Bucheit | Dawson | DiStaola | Hargrove | Scharf | Scrimizzi | Willis |
| | | | A | | | A |

Motion to Approve the Recorded Minutes and Written Summary of the Meeting of June 9, 2106

| | | | | | | |
|---------|--------|----------|----------|--------|-----------|--------|
| Bucheit | Dawson | DiStaola | Hargrove | Scharf | Scrimizzi | Willis |
| | | | | | | A |

Swearing in of Those Providing Testimony to the Nuisance Appeal Board:

Kathy Dudley, Assistant Law Director

New Business:

Appeal Hearing # 1 – 641 S. 11th Street – Affordable Housing in 513 – Current Owner Aristocrat Properties

Accepting the Health Commissioner’s Report declaring 641 S. 11th Street, Lot 6686, Parcel 6451003000073, a Public Nuisance under the City’s Codified Ordinance 1709.35

Staff: Health Commissioner Farrar, RN
Cindy Hogg, R.S.

| | | | | | | |
|---------|--------|----------|----------|--------|-----------|--------|
| Bucheit | Dawson | DiStaola | Hargrove | Scharf | Scrimizzi | Willis |
| | | | | | | |



Appeal Hearing #2 – 261 Washington Street – Affordable Housing in 513 – Current Owner Aristocrat Properties

Accepting the Health Commissioner’s Report declaring 261 Washington Street, 1376, Parcel Number P6421013000066, a Public Nuisance under the City Codified Ordinance 1709.35

Staff: Health Commissioner Farrar, RN
Cindy Hogg, R.S.

| | | | | | | |
|----------|--------|----------|----------|--------|-----------|--------|
| Buchheit | Dawson | DiStaola | Hargrove | Scharf | Scrimizzi | Willis |
| | | | | | | |

Other:

- 1. Creation of Policy to Limit Acceptance of Agenda Items to ten- (10) calendar days before the meeting date**

Adjournment

The City of Hamilton is pleased to provide accommodations to disabled individuals and encourage their participation in city government. Should special accommodations be required, please contact Community Development’s office at 513-785-7350 (24) hours before the scheduled meeting.



**WRITTEN SUMMARY
NUISANCE APPEAL BOARD
MEETING MINUTES
Thursday, June 9, 2016
1:30 p.m.**

The Nuisance Appeal Board meeting was called to order by Chairman, Mr. J. Scott Scirmizzi presiding at 1:30 in City Council Chambers, 345 High St, First Floor, Hamilton, Ohio.

Members Present: Chief Craig Bucheit, Chief Steven Dawson, Ms. Lorie DiStaola, Mr. Eugene Scharf, and Mr. J. Scott Scirmizzi.

City Staff Present: Ms. Kathy Dudley, Ms. Kay Farrar, Ms. Cindy Hogg, Ms. Kimberly Preston

Old Business:

1. Motion to approve Myra Hargrove as representative for Investment Property Owners Association was made by Chief Steven Dawson and seconded by Eugene Scharf. The motion passed.
2. Motion to approve the Meeting Schedule through 2016 was made by Eugene Scharf and seconded by Chief Craig Bucheit. The motion passed. Board meetings will be held the second Thursday of each month in Council Chambers at 1:30 p.m. for the remainder of 2016.
3. Chamber of Commerce Representation
Ashlee Willis will be moving into Hamilton at the end of June, 2016. She will be presented to join the board in the July, 2016 meeting.

New Business:

Kay Farrar, City of Hamilton Health Commissioner, provided a report on 724 S. Ninth Street, which she had declared a nuisance May 11, 2016. No objection had been filed to said declaration.

AGENDA ITEM #1

STAFF: Ms. Kathy Dudley

724 S. 9th Street – Kenneth C. Johnson (Deceased)

Information presented by Kay Farrar stated that the house is a one and one half story asbestos shingled single family dwelling, located at 724 S. 9th Street, Hamilton, Ohio 45011, lot 3425, Parcel P6441039000073, with a detached garage on the property. There have been 29 complaints associated with this property. The city has maintained this property at a cost to date of about \$500.00 in contractor costs and about \$2,000.00

for employees to investigate complaints. The structure has become a harborage for vagrants, criminals, and immoral persons, which have had to be removed by the police. The property owner, Kenneth C. Johnson passed away October 26, 2014. No one has come forward as a result of the city's publication and the title search has shown there were no interested parties.

A Motion to accept Ms. Farrar's report was made by Chief Craig Bucheit, with a 2nd by Ms. Lorie DiStaola. All members were in favor.

AGENDA ITEM #2

STAFF: Ms. Kathy Dudley

707 Belle Avenue – Cornelia Medina

This item has been removed from the agenda because the property was sold Thursday, June 2, 2016 at Sheriff's Sale.

Adjourned:

A Motion to adjourn was made by Chief Dawson, with a 2nd by Chief Bucheit. All were in favor and the meeting was adjourned.

Respectfully submitted,

Ms. Kimberly Preston
Community Technician

Mr. Eugene Scharf
Secretary

Mr. J. Scott Scirmizzi
Chairman

Public Nuisance Report

7/14/16

641 S 11th St



The 1899 old style two story single family dwelling is located at 641 S. 11th St, Hamilton Oh 45011, lot 6686, Parcel 6451003000073. There is no basement in this dwelling. There are seven (7) rooms which include three (3) bedrooms, and one (1) full bathroom. The total living space is 1382 sq. ft. The lot size is .0771 acres or 3360 sq. ft. There are no other structures on this parcel.

There have been 38 complaints associated with this property. These include tall grass, rubbish, dwelling is unsecure, and rehabilitation or demolition orders. The Health Division has had to hire contractors to remove nuisance situations from the dwelling and the property. The dwelling has been vacant since November 17, 2009. The utilities have been off since November 17, 2009. The Health Division has maintained this property to a cost of approximately \$1591.67. The Health Division employee cost associated with this property is approximately \$1900.00.

The responsible party for this property is Affordable Housing in 513 Inc. This structure continues to be a health hazard and was declared a public nuisance on June 20, 2016 by Kay Farrar, Health Commissioner for the City of Hamilton Health Division. In its present condition, the structure has a blighting influence on the community (HCO 1701.01).

PARID: P6451003000073
AFFORDABLE HOUSING IN 513 INC

641 S ELEVENTH ST

Parcel

| | |
|-----------------------|--|
| Parcel Id | P6451003000073 |
| Address | 641 S ELEVENTH ST |
| Class | RESIDENTIAL |
| Land Use Code | 510, R - SINGLE FAMILY DWELLING, PLATTED LOT |
| Neighborhood | 00016018 |
| Total Acres | |
| Taxing District | P64 |
| District Name | HAMILTON C HAM CSD |
| Gross Tax Rate | 73.39 |
| Effective Tax Rate | 56.552516 |
| Non Business Credit | .1 |
| Owner Occupied Credit | .025 |

Owner and Legal

| | |
|---------|-------------------------------|
| Owner 1 | AFFORDABLE HOUSING IN 513 INC |
| Owner 2 | |
| Legal 1 | 6686 ENT |
| Legal 2 | |
| Legal 3 | |

Taxbill Mailing Address [Can I change my mailing address?](#)

| | |
|----------------|-------------------------------|
| Mailing Name 1 | AFFORDABLE HOUSING IN 513 INC |
| Mailing Name 2 | |
| Address 1 | 2146 BENNINGHOFEN AVE |
| Address 2 | |
| Address 3 | HAMILTON OH 45015 1153 |

Sales

| Sale Date | Sale Amount |
|-----------|-------------|
| 27-JUL-15 | \$6,300 |
| 01-MAR-99 | \$0 |
| 28-JAN-99 | \$0 |

Dwelling

| | |
|-------------------|------------|
| Stories | 2 |
| Gross Living Area | 1,382 |
| Construction | ALUM/VINYL |
| Total Rooms | 7 |
| Bedrooms | 3 |
| Year Built | 1899 |
| Finished Basement | 0 |

Current Value

| | | |
|----------------------|------|----------|
| Land (100%) | | \$2,520 |
| Building (100%) | | \$12,100 |
| Total Value (100%) | | \$14,620 |
| CAUV | | \$0 |
| Assessed Tax Year | 2014 | |
| Land (35%) | | \$880 |
| Building (35%) | | \$4,240 |
| Assessed Total (35%) | | \$5,120 |

Incentive District Parcels [What is this?](#)

| | | |
|-------------------|-------------|--------|
| Parcel identifier | Value Type | value |
| P6451003000073 | Base Parcel | 14,620 |
| | Total Value | 14,620 |

Current Year Real Estate Taxes

| TAX TYPE | Prior Year | First Half Tax | Second Half Tax | Total |
|---------------------|------------|----------------|-----------------|-----------|
| Real Estate | 3,019.28 | 139.36 | 153.30 | 3,311.94 |
| Special Assessments | 1,041.31 | 86.62 | 95.27 | 1,223.20 |
| Tot Payments | -4,060.59 | -225.98 | -153.77 | -4,440.34 |
| Total: | 0.00 | 0.00 | 94.80 | 94.80 |

Homestead Credits How do I qualify?

| | |
|---------------------------------|-----|
| Homestead Exemption | NO |
| Owner Occupied Credit | YES |
| 100% Disabled Veteran Exemption | NO |

PARID: P6451003000073
 ARISTOCRAT REALESTATE LLC

641 S ELEVENTH ST

| Building | |
|----------|--|
|----------|--|

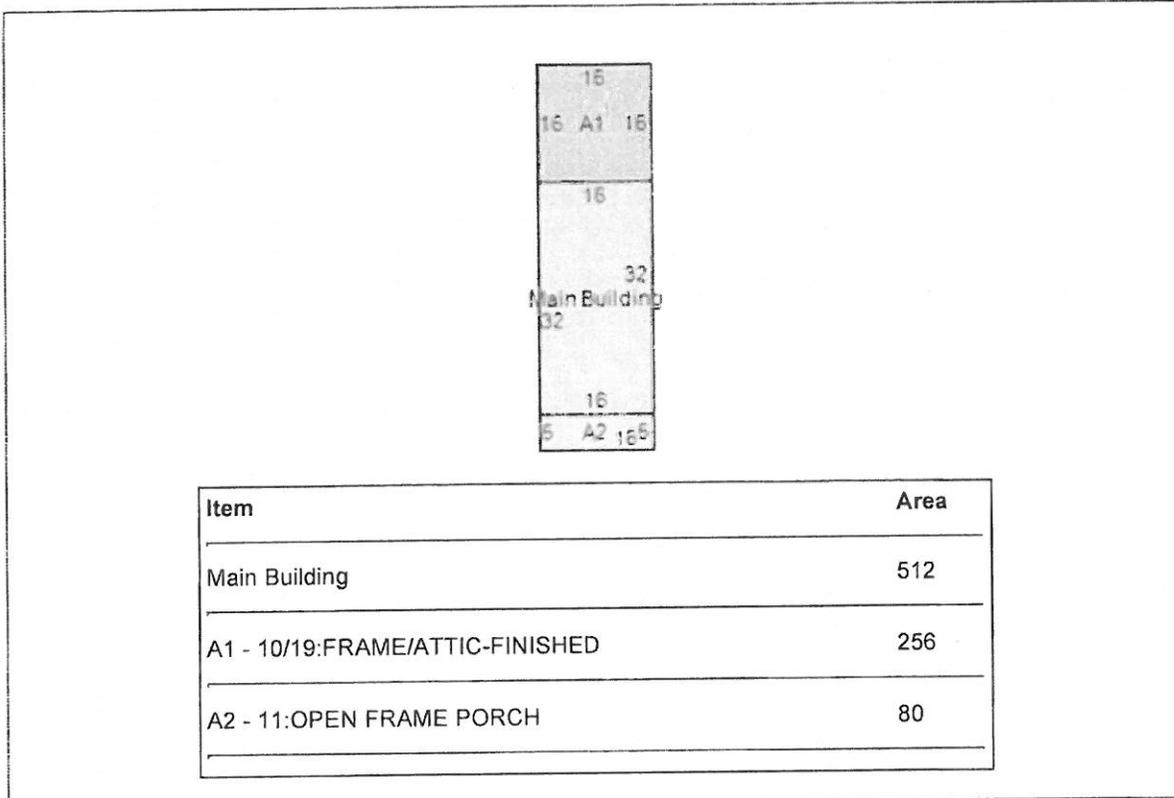
| | |
|----------------------|---------------------|
| Card | 1 |
| Stories | 2 |
| Construction | ALUM/VINYL |
| Style | OLD STYLE TWO STORY |
| Gross Living Area | 1,382 |
| Basement | NONE |
| Rec Room | |
| Physical Condition | |
| Attic | NONE |
| Year Built | 1899 |
| Effective Year | |
| Year Remodeled | |
| Total Rooms | 7 |
| Bedrooms | 3 |
| Full Baths | 1 |
| Half Baths | 0 |
| Family Rooms | 0 |
| Additional Fixtures | 2 |
| Unfinished Area | |
| Finished Basement | 0 |
| WBFP Stacks | |
| Fireplace Openings | |
| Prefab Fireplace | |
| Heat System | BASIC |
| Fuel Type | GAS |
| Int vs Ext Condition | SAME |

| Factors | |
|---------|--|
|---------|--|

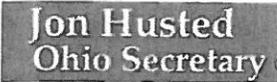
| | |
|--------------|--------------------|
| Topography 1 | LEVEL |
| Topography 2 | |
| Topography 3 | |
| Utility 1 | ALL PUBLIC |
| Utility 2 | NONE |
| Utility 3 | NONE |
| Traffic 1 | LIGHT |
| Fronting | RESIDENTIAL STREET |

PARID: P6451003000073
ARISTOCRAT REALESTATE LLC

641 S ELEVENTH ST



Printed on Thursday, July 7, 2016, at 10:48:39 AM EST



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Business Filing Portal your **BUSINESS** begins here

[Print this report](#)

Corporation Details

| Corporation Details | | |
|--|--------------------------------|-----------------------|
| Entity Number | 2041762 | |
| Business Name | AFFORDABLE HOUSING IN 513 INC. | |
| Filing Type | CORPORATION FOR PROFIT | |
| Status | Active | |
| Original Filing Date | 08/16/2011 | |
| Expiry Date | | |
| Location: FAIRFIELD | County: BUTLER | State: |
| Agent / Registrant Information | | |
| CHRISTINA M SCHLEMBACH 2620 JUPITER DR FAIRFIELD, OH 45014 Effective Date: 08/16/2011 Contact Status: Active | | |
| Incorporator Information | | |
| CHRISTINA M SCHLEMBACH | | |
| Filings | | |
| Filing Type | Date of Filing | Document Number/Image |
| DOMESTIC ARTICLES/FOR PROFIT | 08/16/2011 | 201123000621 |

Navigate Location (650250) 641 S 11TH ST

- Search: 650250: 641 S 11TH ST
- (ELEC) Electricity Service (CUTOFF)
 - (GAS) Gas Service (FINAL)
 - (WATER) Water Service (FINAL)
 - (SEWER) Sewer Service (FINAL)
 - (STV/TR) Storm Water Service (CUTOFF)
 - (REF) Trash Service (CUTOFF)
 - Responsible Parties
 - (33860) AFFORDABLE HOUSING

Task Analysis

| | |
|--------------------------|---|
| My new tasks today: | 0 |
| My field orders: | 0 |
| My outstanding leaks: | 0 |
| My overdue tasks: | 0 |
| My priority tasks: | 0 |
| My reminders: | 0 |
| My on hold tasks: | 0 |
| Group Outstanding Tasks: | 0 |
| Field Review: | 0 |

Identification History Comments Detail Attributes Alerts Memo Leaves

Alert P Memo P

All transactions in Comments history

| Date | Added by | Code | Comments |
|----------------------|----------|-------|---|
| Jan-13-2016 16:46:16 | BS1 | INQRY | General inquiry |
| Oct-30-2015 08:38:51 | AO1 | INQRY | General inquiry |
| Oct-29-2015 12:46:34 | AO1 | HLTH | per c hagg email: release the health hold on only electric to the owner of the property, Affordable Housing in 513 inc |
| Oct-29-2015 12:46:30 | AO1 | MEMO | per c hagg email: release the health hold on only electric to the owner of the property, Affordable Housing in 513 inc. |
| Oct-29-2015 12:45:18 | AO1 | UOFF | Service Off 1+ Years |
| Oct-29-2015 12:45:05 | AO1 | INQRY | General inquiry |
| Oct-28-2015 09:17:39 | SK1 | EMAIL | eMail |
| Oct-27-2015 13:27:43 | CGD1 | UTNLD | UTILITY HOLD ON GAS & WATER REF DENNY INGRAM |
| Oct-27-2015 13:23:04 | CGD1 | MEMO | ELECT ONLY RESTORATION APPROVED BY DENNY INGRAM-PERMITS & INSPECTO . NEEDED FOR GAS & WATER |
| Oct-27-2015 13:22:06 | CGD1 | INQR | General inquiry |
| Oct-26-2015 09:45:17 | RJ1 | CALL | Phone Call |
| Sep-14-2015 09:31:58 | SF2 | INQR | General inquiry |
| Sep-11-2015 00:00:00 | CGD1 | HLO | Reading for Location: 650250 Meter: 01315149 RCT:21916911 posted on Sep-14-2015 20:09:25. Automatically closing task. |
| Aug-14-2015 12:11:27 | AO1 | BYPAS | Bypass MTRS |
| Aug-14-2015 12:27:02 | AO1 | INQRY | General inquiry |
| Aug-13-2015 16:09:22 | SF2 | INQRY | General inquiry |
| Aug-13-2015 00:00:00 | CGD1 | HLO | |



Cindy Hogg <cindy.hogg@hamilton-oh.gov>

Re: 641 S 11th St

1 message

Ken Rivera <ken.rivera@hamilton-oh.gov>

Wed, Jul 6, 2016 at 8:32 AM

To: Cindy Hogg <cindy.hogg@hamilton-oh.gov>

Only recent permit was for an electric service. The inspection was approved on 10-27-2015 to have the electric turned on, but it still needed a final inspection that has never been requested. As a result, the permit expired on 04-27-2016. No other permit activity.

On Tue, Jul 5, 2016 at 1:29 PM, Cindy Hogg <cindy.hogg@hamilton-oh.gov> wrote:

Ken

Please let me know if any permits for repairs have been obtained for this dwelling and if any inspections by the Construction Services Department have been done.

Thank you

Cindy Hogg R.S., NEHS
Environmental and Compliance Administrator
City of Hamilton Health Division
345 High St Suite 330
Hamilton Oh 45011
Phone (513) 785-7083
Fax (513) 785-7065
cindy.hogg@hamilton-oh.gov

--

Ken Rivera, Building Official
City of Hamilton, Ohio
Construction Services Division
(513) 785-7360 Main Office
(513) 785-7366 Direct
(513) 785-7359 Fax



06/21/2016

Affordable Housing in 513 INC
C/O CHRISTINA M SCHLEMBACH
2620 JUPITER DR
FAIRFIELD, OH 45014

Dear Christina Schlembach:

Location of property 641 S 11TH ST
Complaint ID # 201400037
LOT # 6686 PARCEL P6451003000073

You have been served a copy of this notice as you have some legal interest in said property. To protect said interest, you may want to consult legal counsel.

NOTICE OF PUBLIC NUISANCE

Pursuant to Section 1767.03(a) of the Hamilton Codified Ordinances, the Commissioner of Health finds that the above referenced property is a public nuisance. This finding is based upon inspection of the property and the discovery of the following conditions:

The property has a deteriorating and blighting influence on nearby properties by reason of continued vacancy and a lack of reasonable or adequate maintenance of structures and grounds.

The property is vacant.

The building or structure has been abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

The building or structure is in such a condition as to constitute a public nuisance known to the common law or as defined by statute.

The building or structure is a fire hazard.

The building or structure is used or intended to be used for dwelling purposes and, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

The building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this City, as specified in the applicable Building Code or the Housing Code, or of any law or ordinance of this state or city relating to the condition, location, or construction of buildings.



The building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become:

An attractive nuisance to children;

A harbor for vagrants, criminals or immoral persons; or as to

Enable persons to resort thereto for the purpose of committing unlawful or immoral acts.

The public nuisance must be abated. Abatement can be completed by rehabilitating the structure(s) on the property or removing (demolishing) the structures. In the event that the public nuisance is not abated, the public nuisance may be abated by the City of Hamilton at the property owner's expense.

NOTICE TO ELECT WHETHER TO REHABILITATE OR REMOVE

Within thirty (30) days of the receipt of this Notice, the property owner shall submit a proposal to either rehabilitate or remove (demolish) the public nuisance. That proposal must contain a timetable for completing the rehabilitation or removal. The proposal must be submitted, in writing, to the Department of Community Development --Health Division, 345 High Street, 3rd Floor Suite 330, Hamilton, Oh 45011. The proposal may be, but is not required to be, submitted using the enclosed form.

Election to Rehabilitate

The Commissioner of Health shall approve a proposal to rehabilitate if the Commissioner determines that:

- the proposal timetable for the rehabilitation is reasonable; and
- the proposal will correct the conditions detailed above.

If the property to be rehabilitated is a residential structure, the proposed timetable may not be more than six (6) months. If the property to be rehabilitated is a non-residential structure, the proposed timetable may not be more than twelve (12) months. If the property is located within one of the City's Historic Preservation Districts, the proposed timeline must also contain details regarding contacting the Architecture Design and Review Board (513-785-7350 or email hamiltonhistoric@ci.hamilton.oh.us) and obtaining a Certificate of Appropriateness before commencing any exterior work.

If the proposed is approved, the Commissioner will suspend further enforcement action so long as the owner starts the rehabilitation within thirty (30) days and meets the timetable in the approved proposal.

The proposal will not be approved if the Commissioner of Health determines the timetable for rehabilitation is unreasonable in light of the structure's current condition, or if the Commissioner finds the proposal to rehabilitate will not correct the conditions detailed above. The Commissioner shall provide the property owner with the reasons for disapproval and shall continue enforcement action.

PRIOR TO REMEDIATING THIS ORDINANCE, PLEASE VIEW THE EPA WEBSITE FOR A BRIEF BROCHURE ON HOW TO PROTECT YOUR FAMILY FROM LEAD IN YOUR HOME.

<http://www.epa.gov/lead/pubs/leadpdf.pdf>



IF YOU DO NOT HAVE ACCESS TO THE INTERNET, COME INTO THE HEALTH DEPARTMENT FOR A FREE BROCHURE: 345 HIGH ST SUITE 330, HAMILTON, OHIO 45011.

Elect to Remove

The Commissioner of Health shall approve a proposal to remove (demolish) the public nuisance if the Commissioner of Health determines that the proposal:

- states that demolition process will be commenced within fifteen (15) days following the approval;
- shows that the owner(s) will comply with Section 1767.07(d)(3) of the Hamilton Codified Ordinances (a copy of Section 1767.07(d)(3) is enclosed); and
- authorizes and consents to the City of Hamilton's demolition of the structure(s) on the property, at the owner's expense, if demolition is not completed as proposed.

If the proposal is approved, the Commissioner will suspend further enforcement action against the property. The Commissioner will continue to suspend further enforcement action so long as the owner(s) start the demolition process actions within fifteen (15) days.

If the proposal is not approved, the Commissioner shall provide the property owner(s) with the reasons for the disapproval and shall continue enforcement action.

Extension of Time

Upon the owner's written request, and for good cause shown, the Commissioner of Health may grant an extension of time for the owner(s) to decide whether to rehabilitate or remove the public nuisance, or provide an amended proposal to rehabilitate or remove.

Failure of the owner(s) to obtain additional time to present an original or amended proposal to rehabilitate or remove may result in the City's removal of the public nuisance, at the expense of the owner(s).

APPEAL HEARING

Within thirty (30) days after receipt of these notices, or within thirty (30) days after any other determination has been made by the Commissioner of Health, any addressee above may make a demand for an appeal hearing. A demand for an appeal hearing must be submitted, in writing to the Director of Community Development, 345 High Street, 3rd Floor Suite 370, Hamilton OH 45011.

The demand for an appeal hearing must:

- include the correct mailing address of the owner, lienholder, or person representing the owner or lienholder;
- state the reason the demand for an appeal hearing is being made; and
- be accompanied by an appeal fee in the amount of \$100.00. If the person demanding the appeal hearing cannot afford to pay the appeal fee, the demand for an appeal hearing must be submitted with a notarized affidavit of indigence.

The appeal hearing shall be held at the next regular meeting of the Nuisance Appeal Board following the Director of Community Development's receipt of the demand for an appeal hearing.



After the appeal hearing, the Nuisance Appeals Board may vote to :

Sustain the finding that a public nuisance exists on the property and order the abatement thereof by repair or replacement or removal of the items found to constitute a public nuisance, or order the abatement thereof by demolition; or

Continue the matter for a period not to exceed 45 days for further investigation and disposition: or

Take such other action and render such other orders as it deems appropriate within the authority conferred by Chapter 1767 of the Hamilton Codified Ordinances; or

Reverse the finding that a public nuisance exists on the property and dismiss the case.

A copy of the decision of the Nuisance Appeals Board shall be the final order and shall be mailed, with certificate of mailing, to the owner or other person or entity that demanded the hearing, at the address provided in the demand for an appeal hearing. For the purpose of an appeal of the final order pursuant to the Ohio Revised Code Chapter 2506, the final order shall be deemed to have been entered on the date on which the copy of the decision was mailed.

Served: _____ Regular Mail _____ Certified Mail _____ Posted on Property ___x___ Personal Service



Kay L. Farrar
Health Commissioner
City of Hamilton Health Division
513-785-7080

Limited English Proficiency

Qualified translation and/or interpreter services will be provided, at no cost, to an individual who receives a NOTICE OF PUBLIC NUISANCE and a NOTICE TO ELECT WHETHER TO REHABILITATE OR REMOVE and who cannot speak, read, write or understand the English language at a level that permits them to communicate effectively with the City of Hamilton. Any individual needing translation and/or interpreter services should contact the Department of Community Development--Health Division, 345 High St. 3rd Floor Suite 330, Hamilton, Oh 45011 (513-785-7080) to arrange for such services.

Enclosure 3

641 S Eleventh Street
P 6451003000073
Lot 6686 Fifth Ward
Prepared 6/28/16

| | |
|---|---|
| Owner of property | Affordable Housing in 513 Inc. |
| Last known address | 2146 Benninghofen Ave, Hamilton, Oh 45015 |
| Date of Purchase | 07/27/2015 |
| Utilities off | 1/17/2009 |
| Contractor cost to Health Division | \$1591.67 |
| Estimated Employee Cost to the Health Division | \$1900.00 |

There are 38 complaints regarding this property.

02/14/2005 Received a complaint regarding rubbish.
02/15/2005 Notice of Violation issued.
02/23/2005 Abated.

06/28/2007 Received a complaint regarding rubbish.
08/21/2007 Abated.

10/09/2007 Received a complaint regarding tall grass.
10/11/2007 Notice of Violation issued by regular mail.
11/26/2007 Abated.

04/30/2008 Received a complaint regarding tall grass. Notice of Violation issued.
05/22/2008 Abated.

10/27/2009 Received a complaint regarding rubbish.
11/09/2009 Complaint confirmed. Notice of Violation issued by regular mail.
11/24/2009 Violations remain. Notice of Violation issued by certified mail.
01/26/2010 Violations remain. Notice of Violation came back. Notice of Violation issued
by regular mail and posted on dwelling. Picture taken.
01/28/2010 Friend of owner called. Owner is deceased, will contact the family about
issue. Extension granted due to weather.
02/25/2010 Abated.

12/15/2009 Received a duplicate complaint regarding rubbish.

01/13/2010 Received a duplicate complaint regarding rubbish.

04/27/2010 Received a complaint regarding tall grass.
04/29/2010 Complaint confirmed. Notice of Violation issued by regular mail.
06/11/2010 Contracted. \$190.50
07/12/2010 Abated.

09/02/2010 Received a complaint regarding tall grass. Complaint confirmed.
09/03/2010 Notice of Violation issued by regular mail.
09/15/2010 Violations remain. Pictures taken.
09/23/2010 Notice of Violation returned, with new forwarding address for owner.
09/29/2010 Notice of Violation issued by regular mail to new address.
10/25/2010 Abated.

09/15/2010 Received a complaint regarding rubbish.
09/17/2010 Notice of Violation issued by regular and certified mail.
09/28/2010 Abated.

09/29/2010 Received a complaint regarding rubbish. Complaint confirmed. Dwelling has tall grass also. Notice of Violation issued by regular mail for tall grass and certified mail for rubbish.
10/04/2010 Spoke to Ed Koedel, son of owner. Owner is deceased, Ed Koedel will take care of violations. Extension granted until 10/22/2010.
10/22/2010 Violations remain. Posted Notice of Violation on dwelling.
11/02/2010 Violations remain.
11/03/2010 Rubbish contracted. \$80.50
11/04/2010 Grass contracted. \$170.50

02/18/2011 Received a complaint regarding rubbish. Complaint confirmed- tagged door.
02/28/2011 Violations remain.
03/01/2011 Notice of Violation issued by regular and certified mail.
03/29/2011 Posted returned certified order on the door- pictures taken.
04/06/2011 Violations remain. Pictures taken.
04/13/2011 Contracted.

06/06/2011 Received a complaint about tall grass.

06/23/2011 Received complaint about tall grass. Complaint confirmed. Notice of Violation issued by regular mail.

07/12/2011 Violations remain.

07/13/2011 Contracted.

02/24/2012 Abated.

01/17/2012 Received a complaint regarding rubbish. Complaint confirmed. Owner deceased.

01/18/2012 Notice of Violation issued by regular and certified mail.

01/24/2012 Received signed, returned green card.

01/30/2012 Violations remain, pictures taken. Contracted.

03/19/2012 Received a complaint regarding tall grass.

03/19/2012 Complaint confirmed. Notice of Violation issued by regular mail.

03/28/2012 Violations remain- pictures taken.

04/05/2012 Contracted.

05/30/2012 Received a complaint regarding tall grass.

02/30/2012 Notice of Violation issued by regular mail.

06/21/2012 Contracted. \$30.00

06/27/2012 Abated.

08/03/2012 Received a complaint regarding tall grass.

08/13/2012 Notice of Violation issued by regular mail.

09/25/2012 Contracted. \$30.00 Abated.

06/24/2013 Received a complaint regarding tall grass.

06/25/2013 Complaint confirmed.

06/26/2013 Notice of Violation issued by regular mail.

07/03/2013 Violations remain. Filed for court.

07/10/2013 Contracted. \$23.00

07/23/2013 Received failure to serve back from HMC.

12/05/2013 Received a complaint regarding rubbish.

12/06/2013 Notice of Violation issued by regular mail.

12/16/2013 Violations remain, Notice of Violation issued by certified mail.

02/03/2014 Contracted. \$77.97

01/06/2014 Received a complaint regarding dwelling is unsecured.
01/07/2014 Complaint confirmed. Notice of Violation issued by regular mail,
and certified mail.
01/10/2014 Notice of violation posted on dwelling and picture taken.
01/13/2014 Owner is deceased. Owner's son- Tony Koedel called and left a message.
01/15/2014 Left a message with Tony Koedel that property is abandoned; city has cut
grass and maintained for years, liens present, \$3200 owed in taxes.
Demolition or rehabilitation proposal needed.
01/24/2014 Tony Koedel, son of owner left a message- states he doesn't own, no estate.
02/09/2015 Up for Sheriff's sale, property in tax foreclosure.
05/22/2015 Sold at Sheriff's sale. Sold to Affordable Housing in 513 Inc/ Christina
Schelmbach is the agent.
02/03/2016 Conducted inspection- violations remain. Pictures taken, will move to declare
property a public health nuisance.
06/21/2016 Notice of Public Health nuisance issued by personal service, to Christina
Schlembach.

04/11/2014 Received a complaint regarding dwelling is unsecured.
04/17/2014 Notice of Violation issued by regular mail.
04/25/2014 Violations remain. Notice of Violation issued by certified mail.
06/19/2014 Contracted. \$49.84

04/23/2014 Received a duplicate complaint regarding dwelling is unsecured.

06/24/2014 Received a complaint regarding tall grass.
06/25/2014 Complaint confirmed. Notice of Violation issued by regular mail.
07/15/2014 Contracted. \$23.40

08/18/2014 Received a complaint regarding tall grass and overgrown bushes.
08/19/2014 Notice of Violation issued by regular mail.
08/29/2014 Bushes contracted. \$101.47
09/03/2014 Grass contracted. \$62.57
09/03/2014 Abated.

12/11/2014 Received a complaint regarding rubbish.
12/12/2014 Complaint confirmed. Notice of Violation issued by certified mail.
12/22/2014 Violations remain- waiting on green card.
03/12/2015 Contracted. \$172.75

05/15/2015 Received a complaint regarding dwelling is unsecured.
05/19/2015 Complaint confirmed.
05/19/2015 Notice of Violation issued by regular and certified mail.
06/04/2015 Abated.

05/15/2015 Received a complaint regarding tall grass.
05/19/2015 Complaint confirmed.
05/19/2015 Notice of Violation issued by regular mail.
06/02/2015 Contracted. \$61.17.

05/19/2015 Received a duplicate complaint regarding tall grass.

05/27/2015 Received a complaint regarding rubbish.
05/28/2015 Notice of Violation issued by regular and certified mail.
06/18/2015 Received information- new owners Affordable Housing in 513 Inc. -
Christian Schlembach. Notice of Violation issued by regular and
certified mail.
06/23/2015 Violations remain. Waiting on green card.
07/10/2015 Received returned certified order.
07/15/2015 Posted Notice of Violation on dwelling and sent regular mail.
07/22/2015 Violations remain. Filed for court.
08/26/2015 Contracted. \$360
12/12/2015 Received failure to serve from HMC.

06/15/2015 Received a complaint regarding exterior of dwelling.
06/15/2015 Inspection conducted with Christina Schlembach, Agent for owner-
Affordable Housing in 513 Inc. Dwelling went through tax foreclosure with
previous owner- Emily Koedel, who is deceased. Complaint confirmed, also
violations on interior of dwelling.
06/19/2015 Rehabilitation/demolition orders issued by certified mail- sent to both known
addresses for owner- C/O Christina Schlembach. Health hold placed on all
utilities.
08/14/2015 Called Christina Schlembach and left a message. Received returned order.
Posted returned certified on dwelling. Picture taken.

09/17/2015 Rehabilitation proposal received.

09/28/2015 Rehabilitation proposal approved and acceptance letter sent by certified mail to both known addresses for owner. February 1, 2016 is the completion date for the rehabilitation.

10/13/2015 Received phone call from Christian Schlembach. Called her and left a message.

10/22/2015 Received certified unclaimed letter from Jupiter Drive address.

10/29/2015 Plumbing and gas permits needed per Denny Ingram with HCCS.

10/29/2015 Email sent to utilities- can release the health hold on the electricity to owner only -Affordable Housing in the 513 Inc.

02/03/2016 Violations remain- no progress made by owner. Exterior pictures taken- will proceed to declare a Public Health Nuisance.

02/04/2016 Emailed Ken Rivera from HCCS regarding permits and inspections- rehab Time line has expired. Received email from Ken Rivera with HCCS regarding permits. Electric permit open from October- needs final inspection.

05/09/2016 Service of application to declare property a public health nuisance- served on Christina Schlembach, statutory agent, by process server- as per certificate of service.

05/10/2016 Christina Sclembach called a left a message requesting an inspection.

05/12/2016 Called Christina Schlembach and left a message.

05/16/2016 Christina Schlembach called and left a message- wants to schedule an inspection on 5/20/16.

05/18/2016 Called Christina Schlembach and left a message. Friday is good for an inspection, just call back to confirm time.

05/19/2016 Called Christina and left a message.

05/20/2016 Conducted interior and exterior inspection. Very little work completed. Pictures taken. New water service present. Interior issues -water heater missing, open plumbing/sewer pipe, damaged flooring, repairs needed to floors, walls, and ceiling, electric covers needed, smoke detectors needed, excessive rodent droppings-extermination required, railing needed to basement steps, etc. Exterior repairs- replace damaged wood siding on back, painting of wood trim and siding, repair to front porch floor, missing down spout, gutter and soffit repair needed, cistern needs filled, repair lattice work on front porch, repair broken second floor window, repair damaged siding, repair back door threshold.

11/10/2015 Received a complaint regarding rubbish.
11/11/2015 Complaint confirmed. Notice of Violation issued by regular and certified mail.
12/09/2015 Notice of Violation issued by regular mail. Abated.

12/22/2015 Received a complaint regarding rubbish.
12/23/2015 Complaint confirmed. Notice of Violation issued by certified mail.
01/04/2016 Violations remain.
01/08/2016 Contracted. \$52

04/11/2016 Received a complaint regarding rubbish. Complaint confirmed.
04/12/2016 Notice of Violation issued by certified mail.
04/21/2016 Violations remain.
05/02/2016 Contracted. \$106

04/22/2016 Received a complaint regarding tall grass.
04/25/2016 Notice of Violation issued by regular mail.
05/03/2016 Violations remain.
05/04/2016 Contracted. Received order back- undelivered.
05/16/2016 Abated. Contractor stated it was already cut when tried to cut it.

06/22/2016 Received a complaint regarding tall grass.
06/23/2016 Notice of Violation issued by regular mail.

06/22/2016 Received a complaint regarding rubbish. Complaint confirmed. Picture taken.
06/29/2016 Notice of Violation issued by certified mail.

Public Nuisance Report 7/14/16

261 Washington St



Background Information

261 Washington St

The 1905 one story sided single family bungalow style dwelling is located at 261 Washington St. Hamilton Oh 45011, lot 1376, Parcel P6421013000066. There is no basement with this dwelling. There are five (5) rooms which include two (2) bedrooms and one (1) full bathroom. The total living space is 992 sq. ft. The lot size is .0792 acres or 3450 sq. ft. There are no other structures on this parcel.

There have been 32 complaints associated with this property. These include tall grass, rubbish, junk motor vehicles, securing the dwelling and rehabilitation or demolition orders. The Health division has had to hire contractors to remove nuisance situations from the dwelling and the property. This dwelling has been vacant since June 23, 2009. The utilities have been off since June 23, 2009. The City has maintained this property to a cost of approximately \$590.00. The employee cost to this property is approximately \$1560.00

The responsible party for this property is Affordable Housing in 513 Inc. This structure continues to be a health hazard and was declared a public nuisance on June 21, 2016 by Kay Farrar, Health Commissioner for the City of Hamilton Health Division. In its present condition, the structure has a blighting influence on the community (HCO 1701.01).

PARID: P6421013000066
 AFFORDABLE HOUSING IN 513 INC

261 WASHINGTON ST

Parcel

Parcel Id P6421013000066
 Address 261 WASHINGTON ST
 Class RESIDENTIAL
 Land Use Code 510, R - SINGLE FAMILY DWELLING, PLATTED LOT
 Neighborhood 00015018
 Total Acres .0792
 Taxing District P64
 District Name HAMILTON C HAM CSD
 Gross Tax Rate 72.59
 Effective Tax Rate 55.914631
 Non Business Credit .1
 Owner Occupied Credit .025

CAUV & Agricultural District [What is this?](#)

CAUV NO
 Agricultural District NO

Current Year Real Estate Taxes

| TAX TYPE | Prior Year | First Half Tax | Second Half Tax | Total |
|---------------------|------------|----------------|-----------------|-----------|
| Real Estate | 4,018.85 | 102.78 | 93.44 | 4,215.07 |
| Special Assessments | 356.53 | 171.77 | 156.15 | 684.45 |
| Tot Payments | -4,296.41 | 0.00 | 0.00 | -4,296.41 |
| Total: | 78.97 | 274.55 | 249.59 | 603.11 |

Owner and Legal

Owner 1 AFFORDABLE HOUSING IN 513 INC
 Owner 2
 Legal 1 1376 ENT
 Legal 2
 Legal 3

Taxbill Mailing Address [Can I change my mailing address?](#)

Mailing Name 1 AFFORDABLE HOUSING IN 513 INC
 Mailing Name 2
 Address 1 2146 BENNINGHOFEN AVE
 Address 2
 Address 3 HAMILTON OH 45015

Sales

| Sale Date | Sale Amount |
|-----------|-------------|
| 27-JUL-15 | \$6,200 |
| 04-AUG-04 | \$30,000 |
| 06-AUG-01 | \$11,000 |

Dwelling

Stories 1
 Gross Living Area 992
 Construction ALUM/VINYL
 Total Rooms 5
 Bedrooms 2
 Year Built 1905
 Finished Basement 0

Current Value

| | | |
|----------------------|------|----------|
| Land (100%) | | \$2,640 |
| Building (100%) | | \$8,290 |
| Total Value (100%) | | \$10,930 |
| CAUV | | \$0 |
| Assessed Tax Year | 2015 | |
| Land (35%) | | \$920 |
| Building (35%) | | \$2,900 |
| Assessed Total (35%) | | \$3,820 |

Incentive District Parcels [What is this?](#)

| Parcel identifier | Value Type | value |
|-------------------|-------------|--------|
| P6421013000066 | Base Parcel | 10,930 |
| | Total Value | 10,930 |

Homestead Credits [How do I qualify?](#)

| | |
|---------------------------------|-----|
| Homestead Exemption | NO |
| Owner Occupied Credit | YES |
| 100% Disabled Veteran Exemption | NO |

Sales

| Sale Date | Sale Type | Sale Amount | Trans # | Seller | Buyer |
|-----------|-----------------|-------------|---------|---------------------|-------------------------------|
| 27-JUL-15 | LAND & BUILDING | \$6,200.00 | 7089 | BONILLA BRITTANNA | AFFORDABLE HOUSING IN 513 INC |
| 04-AUG-04 | LAND & BUILDING | \$30,000.00 | 6739 | 2507 LTD | BONILLA BRITTANNA |
| 06-AUG-01 | LAND & BUILDING | \$11,000.00 | 5719 | SANFORD GEORGE W JR | 2507 LTD |

Building

| | |
|----------------------|------------------|
| Card | 1 |
| Stories | 1 |
| Construction | ALUM/VINYL |
| Style | BUNGALOW |
| Gross Living Area | 992 |
| Basement | NONE |
| Rec Room | |
| Physical Condition | |
| Attic | NONE |
| Year Built | 1905 |
| Effective Year | |
| Year Remodeled | |
| Total Rooms | 5 |
| Bedrooms | 2 |
| Full Baths | 1 |
| Half Baths | 0 |
| Family Rooms | 0 |
| Additional Fixtures | 2 |
| Unfinished Area | |
| Finished Basement | 0 |
| WBFP Stacks | |
| Fireplace Openings | |
| Prefab Fireplace | |
| Heat System | AIR CONDITIONING |
| Fuel Type | GAS |
| Int vs Ext Condition | SAME |

Factors

| | |
|--------------|------------|
| Topography 1 | LEVEL |
| Topography 2 | |
| Topography 3 | |
| Utility 1 | ALL PUBLIC |

6/22/2016

Butler County

| | |
|-----------|-------|
| Utility 2 | NONE |
| Utility 3 | NONE |
| Traffic 1 | LIGHT |
| Fronting | |

Other Building and Yard Items

| Code | Year Built | Effective Year | Condition | Area |
|-----------------------------|------------|----------------|-----------|------|
| FRAME OR CB DETACHED GARAGE | 1925 | | POOR | 192 |

Land

| Line Number | Acres | Front actual | Front effective | Depth | Square Feet |
|-------------|-------|--------------|-----------------|-------|-------------|
| 1 | .0792 | 30 | 30 | 115 | 3,450 |

Land sizes for most platted subdivision lots are calculated using a front foot method; a formula which is designed to provide equity in assessed value. As a result, please note that the calculated acreage of an irregular shaped lot may not represent actual surveyed acreage.

Jon Husted
Ohio Secretary

[Jon Husted & the Office](#) | [Elections & Voting](#) | [Campaign Finance](#) | [Legislation & Ballot Issues](#) | [Businesses](#) | [Records](#) | [Media Center](#) | [Publications](#)

Business Filing Portal

your BUS

BUSINESS begins here

[Print this report](#)

Corporation Details

| Corporation Details | | |
|--|--------------------------------|-----------------------|
| Entity Number | 2041762 | |
| Business Name | AFFORDABLE HOUSING IN 513 INC. | |
| Filing Type | CORPORATION FOR PROFIT | |
| Status | Active | |
| Original Filing Date | 08/16/2011 | |
| Expiry Date | | |
| Location: FAIRFIELD | County: BUTLER | State: |
| Agent / Registrant Information | | |
| CHRISTINA M SCHLEMBACH 2620 JUPITER DR FAIRFIELD, OH 45014 Effective Date: 08/16/2011 Contact Status: Active | | |
| Incorporator Information | | |
| CHRISTINA M SCHLEMBACH | | |
| Filings | | |
| Filing Type | Date of Filing | Document Number/Image |
| DOMESTIC ARTICLES/FOR PROFIT | 08/16/2011 | 201123000621 |

1 Cayenia M... CA PR... User In... C2... Portal

User Portal | CIS Inquiry | Home

Navigate

Search: More

- 550140 261 WASHINGTON ST
 - (ELEC) Electricity Service (FINAL)
 - (GAS) Gas Service (FINAL)
 - (WATER) Water Service (FINAL)
 - (SEWER) Sewer Service (FINAL)
 - (STWTR) Storm Water Service (FINAL)
 - (REF) Trash Service (FINAL)

Task Analysis

- My new tasks today: 0
- My field orders: 0
- My outstanding tasks: 0
- My overdue tasks: 0
- My priority tasks: 0
- My reminders: 0
- My on hold tasks: 0
- Group Outstanding Tasks: 0
- Field Review: 0

Location (550140) 261 WASHINGTON ST

Identification | History | Comments | Detail | Attributes | Alerts | Status | Issues

Alerts:

Comments:

| Date | Added By | Code | Comments |
|----------------------|----------|--------|--|
| Oct-15-2015 09:20:10 | PW1 | MEMO | FEMALE ON PH...ANTS ELEC ON TOLD HER HAVEN'T HEARD FROM HEALTH DEP. |
| Oct-15-2015 08:18:31 | PY1 | CALL | Phone Call |
| Aug-26-2015 11:13:36 | AP1 | MEMO | ADV CHRISTINA SCHLEMBACH THAT THERE IS HEALTH STOP ON PROPERTY |
| Aug-26-2015 10:45:28 | AP1 | WALKIN | Walk-in |
| Jun-17-2015 16:25:00 | SF2 | INQRY | General Inquiry |
| Jun-09-2015 00:00:00 | CGD1 | HLO | 1 |
| Jun-08-2015 08:55:53 | RJ1 | MEMO | OTD FEMALE \$208.00 AS A SQL DEP @ THIS LOC (HARD CALCULATED & ADVISED HER OF HEALTH STOP |
| Jun-08-2015 01:21:16 | RJ1 | CALL | Phone Call |
| Jun-05-2015 09:54:33 | RJ1 | CALL | Phone Call |
| Jun-05-2015 09:46:50 | RJ1 | CALL | Phone Call |
| Dec-16-2014 06:50:48 | MH1 | INQRY | General Inquiry |
| Dec-09-2014 12:16:36 | SK1 | HLTH | HEALTH STOP ON ALL PER JODI GIBSON Please release the health hold electic only is the owner of the property Christina Schlembach per Cindy Hogg. |
| Dec-09-2014 12:17:56 | SK1 | EMAIL | eMail |
| May-01-2014 15:39:04 | HG1 | INQRY | General Inquiry |
| Feb-18-2014 14:23:23 | TS1 | BYPASS | Bypass IVRS |
| Feb-10-2014 00:00:00 | VC1 | HLO | 1 |

148 PM 8/22/2015



Cindy Hogg <cindy.hogg@hamilton-oh.gov>

Re: 261 Washington St

Ken Rivera <ken.rivera@hamilton-oh.gov>
To: Cindy Hogg <cindy.hogg@hamilton-oh.gov>

Wed, Jul 6, 2016 at 8:28 AM

Only permit was for an electric service. Final inspection was approved on 11-19-2015.

On Tue, Jul 5, 2016 at 1:28 PM, Cindy Hogg <cindy.hogg@hamilton-oh.gov> wrote:
Ken

Please let me know if any permits for repairs have been obtained for this dwelling and if any inspections have been done by the Construction Services Department.

Thank you

Cindy Hogg R.S., NEHS
Environmental and Compliance Administrator
City of Hamilton Health Division
345 High St Suite 330
Hamilton Oh 45011
Phone (513) 785-7083
Fax (513) 785-7065
cindy.hogg@hamilton-oh.gov

--
Ken Rivera, Building Official
City of Hamilton, Ohio
Construction Services Division
(513) 785-7360 Main Office
(513) 785-7366 Direct
(513) 785-7359 Fax



Public Health

345 High Street, Suite 330
Hamilton, Ohio 45011

06/21/2016

Affordable Housing In 513 Inc
C/O Christina Schlembach
2146 Benninghoffen Ave
Hamilton, OH 45015

Dear Affordable Housing In 513 Inc:

Location of property 261 WASHINGTON ST
Complaint ID # 201603961
LOT #1376 PARCEL P6421013000066

You have been served a copy of this notice as you have some legal interest in said property. To protect said interest, you may want to consult legal counsel.

NOTICE OF PUBLIC NUISANCE

Pursuant to Section 1767.03(a) of the Hamilton Codified Ordinances, the Commissioner of Health finds that the above referenced property is a public nuisance. This finding is based upon inspection of the property and the discovery of the following conditions:

The property has a deteriorating and blighting influence on nearby properties by reason of continued vacancy and a lack of reasonable or adequate maintenance of structures and grounds.

The property is vacant.

The building or structure has been abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

The building or structure is in such a condition as to constitute a public nuisance known to the common law or as defined by statute.

The building or structure is a fire hazard.

The building or structure is used or intended to be used for dwelling purposes and, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

The building or structure, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, is unsafe for occupation due to the lack of:

Structural strength;

Weather-resisting qualities or characteristics required by law.

The building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this City, as specified in the applicable Building Code or the Housing Code, or of any law or ordinance of this state or city relating to the condition, location, or construction of buildings.

The building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become:

An attractive nuisance to children;

A harbor for vagrants, criminals or immoral persons; or as to

Enable persons to resort thereto for the purpose of committing unlawful or immoral acts.

The public nuisance must be abated. Abatement can be completed by rehabilitating the structure(s) on the property or removing (demolishing) the structures. In the event that the public nuisance is not abated, the public nuisance may be abated by the City of Hamilton at the property owner's expense.

NOTICE TO ELECT WHETHER TO REHABILITATE OR REMOVE

Within thirty (30) days of the receipt of this Notice, the property owner shall submit a proposal to either rehabilitate or remove (demolish) the public nuisance. That proposal must contain a timetable for completing the rehabilitation or removal. The proposal must be submitted, in writing, to the Department of Community Development --Health Division, 345 High Street, 3rd Floor Suite 330, Hamilton, Oh 45011. The proposal may be, but is not required to be, submitted using the enclosed form.

Election to Rehabilitate

The Commissioner of Health shall approve a proposal to rehabilitate if the Commissioner determines that:

- the proposal timetable for the rehabilitation is reasonable; and
- the proposal will correct the conditions detailed above.

If the property to be rehabilitated is a residential structure, the proposed timetable may not be more than six (6) months. If the property to be rehabilitated is a non-residential structure, the proposed timetable may not be more than twelve (12) months. If the property is located within one of the City's Historic Preservation Districts, the proposed timeline must also contain details regarding contacting the Architecture Design and Review Board (513-785-7350 or email hamiltonhistoric@ci.hamilton.oh.us) and obtaining a Certificate of Appropriateness before commencing any exterior work.

If the proposed is approved, the Commissioner will suspend further enforcement action so long as the owner starts the rehabilitation within thirty (30) days and meets the timetable in the approved proposal.



The proposal will not be approved if the Commissioner of Health determines the timetable for rehabilitation is unreasonable in light of the structure's current condition, or if the Commissioner finds the proposal to rehabilitate will not correct the conditions detailed above. The Commissioner shall provide the property owner with the reasons for disapproval and shall continue enforcement action.

PRIOR TO REMEDIATING THIS ORDINANCE, PLEASE VIEW THE EPA WEBSITE FOR A BRIEF BROCHURE ON HOW TO PROTECT YOUR FAMILY FROM LEAD IN YOUR HOME.

<http://www.epa.gov/lead/pubs/leadpdf.pdf>

IF YOU DO NOT HAVE ACCESS TO THE INTERNET, COME INTO THE HEALTH DEPARTMENT FOR A FREE BROCHURE: 345 HIGH ST SUITE 330, HAMILTON, OHIO 45011.

Elect to Remove

The Commissioner of Health shall approve a proposal to remove (demolish) the public nuisance if the Commissioner of Health determines that the proposal:

- states that demolition process will be commenced within fifteen (15) days following the approval;
- shows that the owner(s) will comply with Section 1767.07(d)(3) of the Hamilton Codified Ordinances (a copy of Section 1767.07(d)(3) is enclosed); and
- authorizes and consents to the City of Hamilton's demolition of the structure(s) on the property, at the owner's expense, if demolition is not completed as proposed.

If the proposal is approved, the Commissioner will suspend further enforcement action against the property. The Commissioner will continue to suspend further enforcement action so long as the owner(s) start the demolition process actions within fifteen (15) days.

If the proposal is not approved, the Commissioner shall provide the property owner(s) with the reasons for the disapproval and shall continue enforcement action.

Extension of Time

Upon the owner's written request, and for good cause shown, the Commissioner of Health may grant an extension of time for the owner(s) to decide whether to rehabilitate or remove the public nuisance, or provide an amended proposal to rehabilitate or remove.

Failure of the owner(s) to obtain additional time to present an original or amended proposal to rehabilitate or remove may result in the City's removal of the public nuisance, at the expense of the owner(s).

APPEAL HEARING

Within thirty (30) days after receipt of these notices, or within thirty (30) days after any other determination has been made by the Commissioner of Health, any addressee above may make a demand for an appeal hearing. A demand for an appeal hearing must be submitted, in writing to the Director of Community Development, 345 High Street, 3rd Floor Suite 370, Hamilton OH 45011.

The demand for an appeal hearing must:

- include the correct mailing address of the owner, lienholder, or person representing the owner or



lienholder;

- state the reason the demand for an appeal hearing is being made: and
- be accompanied by an appeal fee in the amount of \$100.00. If the person demanding the appeal hearing cannot afford to pay the appeal fee, the demand for an appeal hearing must be submitted with a notarized affidavit of indigence.

The appeal hearing shall be held at the next regular meeting of the Nuisance Appeal Board following the Director of Community Development's receipt of the demand for an appeal hearing.

After the appeal hearing, the Nuisance Appeals Board may vote to :

Sustain the finding that a public nuisance exists on the property and order the abatement thereof by repair or replacement or removal of the items found to constitute a public nuisance, or order the abatement thereof by demolition; or

Continue the matter for a period not to exceed 45 days for further investigation and disposition: or

Take such other action and render such other orders as it deems appropriate within the authority conferred by Chapter 1767 of the Hamilton Codified Ordinances; or

Reverse the finding that a public nuisance exists on the property and dismiss the case.

A copy of the decision of the Nuisance Appeals Board shall be the final order and shall be mailed, with certificate of mailing, to the owner or other person or entity that demanded the hearing, at the address provided in the demand for an appeal hearing. For the purpose of an appeal of the final order pursuant to the Ohio Revised Code Chapter 2506, the final order shall be deemed to have been entered on the date on which the copy of the decision was mailed.

Served: _____ Regular Mail _____ Certified Mail _____ Posted on Property ___x___ Personal Service

Kay L. Farrar
Health Commissioner
City of Hamilton Health Division
513-785-7080

Limited English Proficiency

Qualified translation and/or interpreter services will be provided, at no cost, to an individual who receives a NOTICE OF PUBLIC NUISANCE and a NOTICE TO ELECT WHETHER TO REHABILITATE OR



Public Health

345 High Street, Suite 330
Hamilton, Ohio 45011

REMOVE and who cannot speak, read, write or understand the English language at a level that permits them to communicate effectively with the City of Hamilton. Any individual needing translation and/or interpreter services should contact the Department of Community Development--Health Division, 345 High St. 3rd Floor Suite 330, Hamilton, Oh 45011 (513-785-7080) to arrange for such services.

Enclosure 3

261 Washington St
P 6421013000066
Lot 1376 Sixth Ward North
Prepared 6/22/2016

| | |
|---|---|
| Owner of property | Affordable Housing in the 513 Inc. |
| Last known address | 2146 Benninghofen Ave, Hamilton, Oh 45015 |
| Date of Purchase | 07/27/2015 |
| Utilities off | 06/23/2009 |
| Contractor cost to Health Division | \$590.00 |
| Estimated Employee Cost to Health Division | \$1560.00 |

There are 32 complaints regarding this property.

10/17/2001 Received a complaint regarding rubbish.

03/16/2006 Received a complaint regarding rubbish.

03/20/2006 Notice of Violation issued.

03/27/2006 Abated.

04/13/2007 Received a complaint regarding rubbish.

04/13/2007 Notice of Violation issued.

04/23/2007 Abated.

03/18/2008 Received a complaint regarding rubbish and junk automobile.

03/18/2008 Notice of Violation issued by regular mail.

03/26/2008 Abated.

09/04/2008 Received a complaint regarding tall grass.

09/05/2008 Notice of Violation issued by regular mail.

10/21/2008 Abated.

03/31/2009 Received a complaint regarding a junk automobile.

09/04/2009 Received a complaint regarding rubbish and a junk automobile.

09/08/2009 Notice of Violation sent by regular mail.

09/16/2009 Notice of Violation sent by certified mail.

10/22/2009 Posted returned Notice of Violation. Spoke to owner/occupant to clean.

11/03/2009 Abated.

06/29/2010 Received a complaint regarding tall grass.
07/06/2010 Notice of Violation issued by regular mail.
07/20/2010 Abated.

08/16/2010 Received a complaint regarding tall grass.
07/17/2010 Notice of Violation issued by regular mail.
10/20/2010 Abated.

08/01/2012 Received a complaint regarding tall grass.
08/14/2012 Notice of Violation issued by regular mail.
09/12/2012 Contracted. \$30.00

08/21/2012 Received a duplicate complaint regarding tall grass.

06/25/2013 Received a complaint regarding tall grass.
07/05/2013 Conducted inspection, complaint confirmed. Tagged door.
07/08/2013 Notice of Violation issued by regular mail.
07/16/2013 Notice of Violation returned.
07/18/2013 Violations remain.
07/23/2013 Contracted. \$23.00

06/28/2013 Received a duplicate complaint regarding tall grass.

03/06/2014 Received a complaint regarding rubbish.
03/07/2014 Notice of Violation issued by regular mail.
03/17/2014 Notice of Violation issued by certified and regular mail.
04/03/2014 Notice of Violation returned, posted on dwelling.
04/16/2014 Violations remain, contracted.
11/12/2014 Violations remain, pictures taken.
11/14/2014 Contracted again.
01/13/2015 Violations remain, pictures taken.
03/30/2015 Abated.

04/28/2014 Received a duplicate complaint regarding rubbish.

05/15/2014 Received a complaint regarding tall grass.
05/15/2014 Notice of Violation issued by regular mail.
06/02/2014 Contracted. \$23.40

07/10/2014 Received a complaint regarding tall grass.
07/10/2014 Notice of Violation issued by regular mail.
08/02/2014 Contracted. \$23.40

09/15/2014 Received a complaint regarding tall grass.
09/15/2014 Notice of Violation issued by regular mail.
09/29/2014 Contracted. \$62.57

10/28/2014 Received a complaint regarding rubbish.
10/28/2014 Notice of Violation issued by regular mail, certified mail, and posted on dwelling.
11/07/2014 Violations remain, waiting on green card.
11/12/2014 Notice of Violation returned. Notice of Violation issued by certified mail and posted on dwelling.
11/25/2014 Violations remain. Filed for court.
07/13/2015 Received summons from HMC-expired. Abated.

10/28/2014 Received complaint that dwelling is not secured.
10/28/2014 Notice of Violation issued by certified mail.
11/07/2014 Violations remain, waiting on green card.
11/12/2014 Notice of violation returned. Violations remain. Notice of Violation issued by regular mail and posted on dwelling.
11/25/2014 Violations remain. Filed for court.
03/06/2015 Contracted. \$143.28
07/13/2015 Received summons from HMC- expired.
07/13/2015 Abated.

10/29/2014 Received a complaint regarding tall grass.
10/29/2014 Notice of Violation issued by regular mail.
11/10/2014 Contracted.

12/09/2014 Received a complaint regarding vacant dwelling.
12/09/2014 Property in delinquent tax foreclosure.
12/09/2014 Rehabilitation/demolition orders issued by regular and certified mail. Also posted on property. Issued to two different addresses found for owner.
12/12/2014 Received the returned certified green card signed. Signature not legible.
12/23/2014 Received certified letter back from second address.
12/29/2014 Received regular letter back.
05/22/2015 Sold at Sheriff's sale.

04/22/2015 Received a complaint regarding tall grass.
05/05/2015 Notice of Violation issued by regular mail.
05/11/2015 Violations remain.
05/18/2015 Contracted. \$83.17

06/03/2015 Received a complaint regarding tall grass.
06/03/2015 Notice of Violation sent by regular mail.
06/12/2015 Abated.

06/16/2015 Conducted inspection with new owner, Christina M. Schlembach. Pictures taken. Requires building and all other permits.
06/19/2015 Rehabilitation/demolition orders issued by certified mail.
07/22/2015 Received returned certified letter.
08/03/2015 Rehabilitation plan not submitted, will proceed to declare dwelling a public health nuisance.
08/14/2015 Certified letter issued by regular mail. Posted returned certified letter on door of dwelling, called and left owner a message. Pictures taken.
09/11/2015 Received rehabilitation proposal.
09/14/2015 Rehabilitation proposal is not detailed enough- doesn't show 30 days increments of repairs. Owner called and asked to resubmit proposal. Owner will bring a new rehabilitation proposal to 1420 Shuler Ave inspection on 09/15/2015.
09/17/2015 Rehabilitation proposal submitted.
09/28/2015 Rehabilitation proposal acceptance letter issued by certified mail. Completion date for rehabilitation is 12/01/2015. Sent to two different addresses.
10/13/2015 Owner called. Called owner and left a message.
10/15/2015 Spoke to owner, who requested electric to be released. Contacted Construction Services and electrical permit has been obtained. Will release to owner only. Email sent to utilities to release electric to owner only.
10/27/2015 Received returned certified letter sent to Benninghofen address.
12/09/2015 Called owner at contact number and is no longer a valid phone number. Rehabilitation time has expired according to approved rehabilitation proposal.

12/10/2015 Tagged door of dwelling to contact for an inspection. Pictures taken of the exterior of the dwelling. No work has been done on the exterior. Will proceed to declare dwelling a public health nuisance.

05/09/2016 Service of application to declare property a public health nuisance served on Christina Schlembach, statutory agent, by Sherry Richardson per certificate of service.

05/10/2016 Christina Schlembach left a message requesting an inspection.

05/31/2016 Inspection scheduled by Christina Schlembach. Ms. Schlembach did not show up for appointment. Tagged door and called her while on site. Received voice mail. Called and left message. Found a for sale sign on the property. Exterior and street scape pictures taken.

08/12/2015 Received a complaint regarding tall grass.

08/12/2015 Notice of Violation issued by regular mail.

08/17/2015 Violations remain.

08/24/2015 Contracted. \$54.17

08/25/2015 Notice of violation returned- vacant, unable to forward.

08/21/2015 Received a complaint regarding rubbish.

09/09/2015 Complaint confirmed.

09/15/2015 Notice of Violation issued by certified mail. Hand delivered to owner.

10/04/2015 Contracted. \$60.00

10/21/2015 Received a complaint regarding tall grass. Notice of Violation issued by regular mail.

11/09/2015 Contracted. \$83.17

11/12/2015 Received a complaint regarding rubbish. Notice of Violation issued by certified mail.

11/18/2015 Abated.

06/21/2016 Declaration of Public Nuisance issued by personal service.