

# MEMORANDUM

TO: Town Board of Alderman  
Michael Ambrose, Town Manager  
FROM: John E. Ganus, Code Administrator/Housing Inspector  
DATE: July 24, 2024  
RE: Request adoption of an Ordinance to Vacate and Close the Dwelling at 314 Town Street, (109-131) Case # HC-21-04

## **BACKGROUND:**

This case began in May 2021 after multiple complaints to the town concerning the nuisance conditions of the property and the dwelling being without water or electric services. Investigation revealed that the water services had been disconnected due to non-payment. The electric services have been turned off for some time due to various reasons and now the system would need an upgrade of the service panel and various other substandard issues. along with the various forms of debris on the property. A Notice of Violation was issued for the water, electric, and nuisance conditions, requiring the owners/occupants to comply by a date not later than June 4, 2021. This was followed by onsite visits and phone calls with the various parties involved. The violations and the explanations continued with no progress. The water would be turned on a couple of times and shut off again for non-payment. It was found that the owner had been in a nursing home and passed away in July 2021. A full housing inspection was conducted on June 13, 2023, with the occupants and the daughter of the owner attending. They all related the intent was to clean up the property and remove all related debris then begin getting the water and electric reconnected. Many other substandard conditions were found in the dwelling. On January 2, 2024, a Complaint and Notice of Hearing was issued by Certified and First-Class mail, with a copy posted on the structure. The Certified mail was returned "Unclaimed" and the First-Class mail was not returned. On January 16, 2024, a Hearing was held to determine the fitness for human habitation of the dwelling with Renee D Hill (Daughter) and Willie B Beaver (Cousin) being present. On January 30, 2024, a Finding of Fact and Order was issued by Certified and First-Class mail, with a copy posted on the structure. The Certified mail was acknowledged by return receipt and the First-Class mail was not returned. The Order required the owners to bring the above described structure into compliance with the Town of Landis Minimum Housing Code by repairing, altering, improving, or vacating and closing the structure by a date not later than **May 5, 2024**. To date the owners have not complied with the order of the Code Administrator.

## **PROBLEM:**

The structure has multiple substandard conditions, two of which (no water or electric service) make the structure unfit for human habitation in accordance with the Landis Minimum Housing Code Standards. The conditions continue to deteriorate. The structure poses various hazards to the health and safety of the community due to defects, increasing the potential for accidents and fire.

## **FINDINGS AND CONCLUSIONS:**

The unsafe and deteriorated structure is occupied and continues to deteriorate. It is estimated the repairs can be made at a reasonable cost percentage of the present value (\$76,425) of the dwelling structure. It appears the owner does not intend to comply with the Order; and therefore, it is recommended the following Ordinance directing the Code Administrator to Vacate and Close the

deteriorated structure be adopted by the Town Council.

**POLICY IMPLICATIONS:**

None.

**FINANCIAL IMPACT:**

It is unknown what the cost of Closures will be, however, funds for such Closures may be provided in the Town budget. All related costs will constitute a lien against the real property.

**CHECKLIST OF WHO HAS REVIEWED:**

Michael Ambrose, Town Manager

Mathew Geelen, Chief of Police

John E. Ganus, Code Administrator/Housing Inspector

**OWNERS OF RECORD**

Ruth C Deadman Heirs

Renee Deadman Hill (Daughter)

Tiffany White (Granddaughter)

Joseph Robinson (Grandson)

Susan Johnson (Granddaughter)

Christopher Johnson (Susan's Husband).