

CITY OF LITTLETON
BUILDING BOARD OF APPEALS

TRANSCRIPT OF PROCEEDINGS
Wednesday, January 16, 2019

Proceedings had on Wednesday, January 16,
2019, at Littleton Center, 2255 West Berry Avenue,
Littleton, Colorado 80120, commencing at the hour of
6:31 p.m., before DAVID MITCHELL, Chairman; RANDY
HOUCHEN, Chair Pro Term; RON MANSKE, Board Member;
DONNA FLAHERTY, Alternate I; MATT TREINEN,
Alternate II; KEN FELLMAN, Attorney for BBAA; and
DENISE CIERNIA, Recording Secretary.

A P P E A R A N C E S

For The City of	STEPHEN KEMP, ESQ.
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1 P R O C E E D I N G S

2 DAVID MITCHELL: This is the January 16th
3 meeting of the Building Board of Appeals.

4 THE REPORTER: Speak into your microphone,
5 please.

6 DAVID MITCHELL: Calling to order the
7 January 16, 2019, Building Board of Appeals. Take
8 roll, please.

9 DENISE CIERNIA: Board Member Manske.

10 RON MANSKE: Present.

11 DENISE CIERNIA: Board Member Houchen.

12 RANDY HOUCHEN: Present.

13 DENISE CIERNIA: Chair Mitchell.

14 DAVID MITCHELL: Present.

15 DENISE CIERNIA: Board Member Treinin.

16 MATT TREININ: Present.

17 DENISE CIERNIA: Board Member Flaherty.

18 DONNA FLAHERTY: Present.

19 DENISE CIERNIA: And tonight we have absent
20 Board Members Eaby and Hubbard.

21 DAVID MITCHELL: Thank you. Does anybody
22 have an issue with the agenda?

23 (No response.)

24 DAVID MITCHELL: Okay. We'll go ahead. We
25 have minutes from the December 19th meeting. If you've

1 read those and are ready to make a motion. That
2 meeting, by the way, was not telerecorded, so these are
3 the minutes.

4 MATT TREINEN: I move to approve the
5 December 19, 2016, minutes.

6 RANDY HOUCHEN: I second.

7 DAVID MITCHELL: Call the roll.

8 DENISE CIERNIA: That was a first by Member
9 Treinin and a second by Member Houchen. I'm going to
10 go ahead and call the roll for that.

11 Board Member Manske.

12 RON MANSKE: Yea.

13 DENISE CIERNIA: Houchen.

14 RANDY HOUCHEN: Yea. Yes.

15 DENISE CIERNIA: Mitchell.

16 DAVID MITCHELL: Yes.

17 DENISE CIERNIA: Treinin.

18 MATT TREININ: Yes.

19 DENISE CIERNIA: Flaherty.

20 DONNA FLAHERTY: Yes.

21 DENISE CIERNIA: Okay. That's unanimous, and
22 the motion carries.

23 DAVID MITCHELL: Thank you. We now have time
24 for public comment. We're going to ask that you hold
25 it to three minutes. Anybody on the list? We have

1 Matthew George. Come forward. Thank you.

2 MATTHEW GEORGE: Greetings. How are you
3 guys?

4 DAVID MITCHELL: We're well.

5 MATTHEW GEORGE: Do I have to stand?

6 DAVID MITCHELL: Probably standing is better.
7 Speak into the microphone.

8 DENISE CIERNIA: Give your name and address.
9 And I'll put three minutes on the timer.

10 MATTHEW GEORGE: Okay. My name is Matthew
11 George. My address is 7731 South Eudora Court in
12 Centennial, Colorado. And the reason I am here is I
13 happen to be a real estate appraiser.

14 That -- I've been in the appraisal business,
15 actually, since 1974. So I've done this a long time.
16 I've also worked with the County Assessor's Office,
17 with Mark Scott and the man before him.

18 And then -- and I've also been a hearing
19 officer with the Denver County. I worked with DORA,
20 Department of Real Estate Agency, and I've done close
21 to 20,000 appraisals in my life.

22 And so I'm in the top 5 percent in the nation
23 in terms of appraisal volume. And I tell you that only
24 because of the fact that I want you to know that I
25 stand here as somebody who has a little bit -- or quite

1 a bit of experience in residential appraising. Seen
2 houses in all kinds of repair and disrepair that have
3 been bad, and really bad, and not so bad.

4 And I have seen Mr. Lynch's house. I happen
5 to know Mr. Lynch. That's why I did not actually do an
6 appraisal on his house because I'm not going to
7 appraise a house for somebody that I'm a friend of or
8 know him.

9 KEN FELLMAN: Excuse me. Mr. Chairman, I'm
10 sorry to interrupt. Sir, if I may, as we discussed
11 last month when the hearing was opened before it was
12 continued, and with all due respect to the gentleman
13 who is speaking at public comment, this is in the
14 nature of an adversarial hearing, where the only
15 evidence under the quasi-judicial hearing that the
16 Board is allowed to consider is the evidence that is
17 presented at the hearing.

18 So as I advised last month, he can certainly
19 finish whatever he wants to say within the first three
20 minutes -- within the three minutes, rather, but your
21 legal advice is that you are not legally able to
22 consider what he says in your decision tonight, unless
23 he's called as a witness during the hearing.

24 DAVID MITCHELL: Thank you.
25

1 MATTHEW GEORGE: So it would be acceptable,
2 then, if I were -- or if Mr. Lynch were to call me as a
3 witness, and then I won't go through this background
4 thing. Can I do that?

5 DAVID MITCHELL: That would be acceptable.

6 MATTHEW GEORGE: I'll come back.

7 DAVID MITCHELL: Who else? And we also have
8 Pam Chadbourne.

9 KEN FELLMAN: And before you come up, or as
10 you come up, I have explained to the Chairman, some of
11 the Board Members, that you and I spoke today.

12 I have reviewed the IPC further, and there is
13 a provision that allows interested -- parties with
14 interest to testify, based on what you described to me
15 in our phone call today.

16 I think whether you do or do not, from a
17 legal standpoint, could go either way. But it's in the
18 gray area. And I believe the Chair has indicated to me
19 that he is inclined to allow you to testify during the
20 hearing.

21 So if your thoughts during public comment
22 were to address any of those issues, I wanted to advise
23 you in advance that, unless the Chair tells me I'm
24 misunderstanding our prior conversation, that you will
25 be allowed to speak during the public hearing this

1 evening.

2 DAVID MITCHELL: Correct.

3 PAM CHADBOURNE: Thanks, Mr. Fellman, for
4 answering my questions today. Thank you for putting
5 that in the staff communications. It was great to have
6 a contact and a clear explanation of what this is, or
7 at least an attempt to lay it out and who to contact.

8 My name is Pam Chadbourne. I live a block
9 and a half from here in your District 1. And what I
10 was going to talk about is, public -- public hearing,
11 public comment.

12 My conversation with Mr. Fellman was about,
13 as you know, last month, I -- on the agenda was a
14 public hearing for the matter at hand, the appeal of an
15 Order of Demolition by the City.

16 And after I spoke, Mr. Fellman advised you to
17 put on the record that you would not consider what I
18 said. Now, let me point out, it was on the agenda. So
19 there was a miscommunication there somewhere.

20 If it wasn't allowed in, it probably
21 shouldn't have been on the agenda. But arguably, maybe
22 it should have been on the agenda, and actually, I'm a
23 little confused by Mr. Fellman's statement because
24 there is no public hearing portion of the appeal on the
25 agenda tonight, unlike last month.

1 And that's because -- and I'm not aware, but
2 my understanding is that, as Mr. Fellman referred to,
3 this is adversarial, and the parties are the property
4 owner and the City, the Complainant.

5 However, I asked for citations for the other
6 legal references, and Mr. Fellman appears to have added
7 more information about that, which I'm not a party to.

8 I just think that, when it comes to
9 demolition of a home and a taxpayer impact, there are
10 other parties who are interested, and the public should
11 be able to speak about that.

12 So I don't know whether there will be an
13 opportunity for other witnesses or parties to speak
14 during the appeal. But I wanted to say I think that,
15 in this case, there's an interest.

16 Also, I've heard that 15 years ago, there was
17 an order to demolish a house. And in the end, the
18 house was not demolished. The person was given
19 68 days, and within that time, the property -- they
20 were given a choice to demolish or sell or dispose of.

21 And the house was sold. So I'm kind of
22 wondering about a code here. And what I want to
23 express is a problem for you folks. You are
24 influential with the staff.

25 And I -- I'd like our code to look at this

1 order of demolition and see if there are not some steps
2 that are better for the public, better for the owners,
3 and better for the City. Thank you very much.

4 DAVID MITCHELL: Thank you, ma'am. Okay.
5 We're going to start the appeal. And it's going to
6 be -- my understanding, it's going to be a great deal
7 of information.

8 So what I'm going to ask is that, as you make
9 your comments, if one of us holds up a hand, it's
10 because we're making a note, and we don't want to miss
11 the next thing you have to say.

12 So just keep an eye on, if one of us does
13 this, just hold off for a bit and let us make our
14 notes.

15 Okay. Appellant. And this is -- for the
16 record, this is the appeal for 7874 South Windermere
17 Circle, ID Number 18-469. Start off by stating your
18 name and address.

19 DAVE LYNCH: My name is Dave Lynch, and I am
20 the owner of the property at South Windermere Circle,
21 7874. I have owned the house since April of 2000. And
22 I am requesting that the Order of Demolition be
23 disposed of, whatever we want to call it.

24 And we're going to hear -- you know, like
25 Mr. Mitchell said, you're going to hear a lot of stuff

1 tonight. One of the issues is the long history that
2 the City's going to present to you that I haven't done
3 anything.

4 It's two-part. I was asked not to bring this
5 stuff, but I'm bringing it anyways. I've been locked
6 out of my house by the City since approximately
7 April 30, 2013. And I haven't been allowed on the
8 property un-accosted, provoked, whatever, by the City
9 of Littleton Police for more than 15 minutes.

10 If I'm on the property for more than
11 15 minutes, they roll up and chase me off. I don't
12 know how much work you can get done in 15 minutes. I
13 wasn't even able to -- the last time that they chased
14 me, I wasn't even able to finish raking the front lawn,
15 which you might -- may have pictures of, actually.

16 And I've been -- you know, once that was done
17 and we got power up, originally, the City had, you
18 know, put an August 1st demolition date. You know, we
19 got started approximately July 19th working with Xcel.

20 And it took them -- it took six weeks,
21 almost, for us to get power put up onto the house,
22 which means no power tools, no vacuum cleaners, no
23 blowers, no anything.

24 And somebody asked if this was a weapon.
25 (Demonstrating.) I said, No. This was what I

1 eventually came up with, trying to -- to cut out bad
2 sections of siding because we weren't able to get
3 financial provisions.

4 Part of that is the City has decided that
5 they didn't want to use the \$5,000 grant money, back in
6 2012, that they were pulling some kind of ploy, and
7 that I was meeting once a month in court for a
8 psychiatric evaluation, which I said, "Okay. Set it
9 up." And the City never set it up.

10 Just for the record, because I didn't get the
11 house up to code back at the beginning of this, I did
12 get sentenced to 60 days in jail by the City.

13 That's my opening statement.

14 DAVID MITCHELL: Thank you. Anybody else for
15 the Appellant?

16 KEN FELLMAN: The City should do an opening
17 statement. And then we'll get to the . . .

18 STEPHEN KEMP: Chairman, Members of the
19 Board. Stephen Kemp on behalf of the City. What's
20 before you tonight is an appeal of a Notice of an Order
21 of Demolition.

22 And under the International Property
23 Maintenance Code, there are three bases for the
24 demolition of a structure. So deteriorated or
25 dilapidated or so out of repair as to be dangerous,

1 unsafe, unsanitary, or otherwise unfit for habitation.

2 We're going to present evidence tonight that
3 demonstrates this particular premises meets that
4 requirement.

5 Also, based on the condition, a second
6 grounds for demolition is based on the condition of the
7 structure. It's unreasonable to repair the structure.
8 We're going to also present evidence that there has
9 been no request or applications for a building permit.

10 The evidence is going to show that the owner
11 could go through the Building Department. They could
12 get access to the property. They could have a licensed
13 contractor work on the property to bring the property
14 up to code. And we're going to present testimony that
15 none of that has occurred.

16 And, finally, this has gone on for far longer
17 than two years, which is the third grounds for a
18 demolition, under the cessation of normal construction
19 for more than two years.

20 This -- I'll agree with the Appellant that
21 this has gone on since 2013, and this property has not
22 been repaired, has not been brought to code. And it is
23 a hazard to the people who go in it. It is a hazard to
24 the neighbors.

25 And the City was well within the authority

1 granted it under the International Property Maintenance
2 Code to order the demolition.

3 For the record, both the Appellant and the
4 lender, who has an interest in the property, have been
5 notified and did receive service of process of the
6 Notice of Order of Demolition, and the lender's counsel
7 has advised me as such.

8 With that, the City will present a number of
9 witnesses and a number of exhibits that we believe are
10 relevant to this matter and will demonstrate that the
11 property is suitable for demolition.

12 Now, the grounds for an appeal is found in
13 the IPMC. And what that provides for is that the Board
14 has a very limited role. You can find a basis for the
15 appeal in that the true intent of the code has been
16 incorrectly interpreted, or the provisions of the code
17 do not fully apply, or the requirements of the code can
18 be adequately satisfied by other means.

19 Again, we are going to -- I've asked the
20 Board's decision on the evidence we will present from
21 the City's witnesses will be that the code has been
22 correctly interpreted, it does apply here, and that,
23 realistically, all the other means to satisfy this code
24 has been exhausted.

25 There's simply -- we are at a point of either

1 let the structure stay in its dilapidated,
2 uninhabitable state, or the structure moves towards
3 demolition. With that, the City is prepared to present
4 its case. Thank you.

5 DAVID MITCHELL: Thank you. Would you like
6 to start testimony? The Appellant?

7 DAVE LYNCH: I am not -- I'm not sure what
8 we're doing.

9 DAVID MITCHELL: You may present witnesses,
10 evidence supporting your appeal.

11 DAVE LYNCH: We'll do witnesses first, I
12 guess.

13 DAVID MITCHELL: Okay.

14 DAVE LYNCH: And first up is Steve Thulson.

15 DAVID MITCHELL: Thank you.

16 KEN FELLMAN: I think it would be appropriate
17 for the witnesses to be sworn in, and if it's okay with
18 you, unless you have a problem with that.

19 STEVE THULSON
20 was called as a witness on behalf of the Appellant and,
21 having been sworn, was examined and testified as
22 follows:

23 DAVID MITCHELL: Spell your last name,
24 please.

25 STEVE THULSON: Yeah. My name is Steve

1 Thulson, T-h-u-l-s-o-n.

2 DAVID MITCHELL: Thank you.

3 STEVE THULSON: I live at 7451 South Delaware
4 Street in Littleton, 80120. I'm also the lead pastor
5 at Centennial Covenant Church, which is actually in
6 Littleton, not Centennial.

7 And this is where Mr. Lynch has attended for
8 several years as a much-appreciated participant. And I
9 do want to speak as an advocate for his appeal to move
10 back into the residence and keep working toward full
11 compliance with the City's property standards.

12 I want to make clear that we at the church
13 are well aware of significant problems related to
14 Mr. Lynch's property. And we understand the City's
15 need to take past actions.

16 What I want to emphasize for just a moment is
17 that some things have changed. Some things have
18 changed, essentially in Mr. Lynch's willingness to
19 receive the kind of help needed for such a renovation,
20 the help needed both to correct the physical problems
21 with the property, which are significant, but also to
22 deal with some underlying emotions and behaviors that
23 led to some of these problems.

24 And the difference over the last year or so
25 is having a community of friends who are eager to give

1 practical help with the property, which has happened
2 quite extensively, and I believe Mr. Lynch will show
3 some very tangible evidence, some photos here of how
4 the property has been worked on significantly.

5 But also, the kind of help with his -- his
6 attitudes and his behaviors, which includes some strong
7 encouragement and accountability, including seeking out
8 some therapy that might be related to this.

9 And I speak for many, many people in our
10 church community here in Littleton. We believe it's in
11 the interest of our community to keep working towards
12 restoration of this house to allow Mr. Lynch to have a
13 home to reside in and not to be among the homeless
14 people in our community.

15 Thank you for listening, and thank you for
16 serving our city.

17 DAVID MITCHELL: Thank you.

18 KEN FELLMAN: Mr. Chair, I might suggest,
19 after the end of each witness's testimony, if any -- if
20 the City wants to cross-examine the witness, that they
21 be given the opportunity to do that, and if the Board
22 has any questions after cross-examination while the
23 witness is still up here, that would be appropriate
24 before the next witness comes up.

25 DAVID MITCHELL: Okay.

1 STEPHEN KEMP: Mr. Chairman, I have no
2 questions of this witness.

3 KEN FELLMAN: Then Mr. Matt George.

4 MATTHEW GEORGE: Hello. I'm Matt George. We
5 already met.

6 MATTHEW GEORGE
7 was called as a witness on behalf of the Appellant and,
8 having been sworn, was examined and testified as
9 follows:

10 MATTHEW GEORGE: You heard me just tell you
11 about my background and experience. And I won't go
12 through that again. I will tell you that, one of the
13 things -- one of the times when I was over there, we
14 have part of our members of the church, and we're
15 trying to help Dave, and as they would tell you, great
16 progress has been made, more recent than before.
17 That's not a question.

18 I will tell you, just from my conversations
19 with Dave, is that fact that he really did feel he
20 couldn't go into his house. And I know that -- I've
21 heard that the City has said that's not accurate.

22 But he really did believe he couldn't go in,
23 and did get taken -- he did spend time in prison. So
24 he was very scared to go to his house and work on it
25 for a period of years. I get that.

1 He then also had a neighbor that they did not
2 get along, and so there was always that conflict. And
3 so he'd go over, and then police would come, and so
4 they had problems.

5 And I get all of that. And all I'm saying is
6 that it's important as we analyze data to not just
7 discharge that, like, Well, he should have figured it
8 out. It really was his problem, and that's it.

9 I'm saying there were some things that were
10 difficult for him to understand, that he could go into
11 the house, and he could fix it, and he just didn't.
12 And now he's had some help and guidance, I think, this
13 past year.

14 And I don't know if you got the pictures that
15 we're going to show that will be more current. But we
16 saw it in the state it was before, and now the state
17 that they've made some really very notable progress.
18 It's a house that would be, to me, a travesty to tear
19 down.

20 Just even as an appraiser, I'm saying the
21 house is definitely redeemable. You would find
22 contractors or different people that would say, Yes,
23 you can definitely redeem this house and make money on
24 it.

25 I mean, we're talking about a property that

1 definitely is redeemable. It's not where it's just
2 completely to be trashed and there's nothing to be said
3 for it.

4 So I'm telling you, as a person who is an
5 appraiser, who has seen homes that have been condemned,
6 I understand all the criteria that they gave, in terms
7 of the extreme state of disrepair on the exterior, and
8 the structure -- and the siding was bad. They've done
9 some work to it, though. They have done some work.

10 And the roof and the soffits, all those
11 things. I get it. But they are redeemable, is what
12 I'm really suggesting in a huge -- in a huge way.

13 And I'm also suggesting that, from an
14 appraiser's standpoint, I would do an appraisal on that
15 and say, These are the things that need to be done.
16 Somebody would come in and do those things, and then it
17 would meet the criteria of what we would have in order
18 to be adequate.

19 To say the house is not livable, I'm -- I'm
20 not sure that would be an accurate statement at this
21 point. I walked around it.

22 If you had -- of course, what his problem is
23 is that he has is that he can't spend the money for the
24 big-ticket items, such as siding, such as furnace, such
25 as roof, because, first of all, he doesn't have the

1 money to do that right now.

2 He's trying to get people to help him along
3 these lines. And then the people were going to do that
4 to come alongside maybe as an investment, those of us
5 that might be willing to do that are hesitant because
6 we don't know if this house is going to be torn down.

7 I'm not going to spend \$70,000 or \$60,000 on
8 a house that the City's going to condemn and tear out.
9 I know you understand that. As business people, that
10 doesn't make sense.

11 So this has been in that limbo, and it's
12 like, Well, let's see what's going to happen before the
13 big-ticket items are done.

14 But we did clear everything out of the house.
15 I mean, there was a bunch of clutter in there. There
16 was a bunch of debris that needed to be cleared out.
17 That got cleared out.

18 So you could get the furnace working, get the
19 water working, get -- you know, and the electricity's
20 been on. And, again, like I said, the house is
21 redeemable. I think it would be a travesty to tear it
22 down. But I think it could be renovated and repaired.

23 DAVID MITCHELL: I have a question.

24 KEN FELLMAN: Excuse me. Process-wise,
25 witness first, then when the witness is done, City can

1 cross-examine, and after cross-examination, questions
2 from the Board.

3 DAVID MITCHELL: Okay.

4 MATTHEW GEORGE: So -- and then let me
5 finish. Before I say that, a real estate appraiser is
6 not a home inspector and is not an engineer and is not
7 what your expertise is.

8 So for me to say that that's my expertise,
9 that would be incorrect. For me to say that it could
10 be redeemed or fixed, I'm just telling you what I
11 visually have seen, yeah, it's like, well, yeah, I
12 think they could fix the plumbing, make that right, get
13 a new furnace, make that right.

14 Would it cost money? That's where I'm coming
15 from. It would cost tens of thousand dollars. And at
16 this point, he doesn't have that, and nobody's going to
17 want to spend that, for the reasons I've already
18 mentioned.

19 So -- and I need to let you know, I'm a value
20 expert, but I'm not a home inspector. And there is a
21 difference. And I -- and I tell you that so you don't
22 misunderstand. Okay.

23 STEPHEN KEMP: Just a couple of questions.

24 Q. (BY STEPHEN KEMP) Do you know if Mr. Lynch
25 has applied for or obtained a building permit to do any

1 of the work?

2 A. He doesn't have the money to do that. He
3 doesn't have the money.

4 DAVID MITCHELL: Anything further?

5 STEPHEN KEMP: No more questions.

6 Q. (BY DAVID MITCHELL) Do you -- can you give
7 us a guesstimate of --

8 A. Well, the --

9 Q. Excuse me. I understand you're not an
10 engineer. But can you give me a guesstimate as to the
11 required -- hours required and the time required to
12 make the house salable, habitable --

13 A. Sure.

14 Q. -- presentable?

15 A. I can just tell you, experientially, I think
16 it would take six months, as far as getting all the
17 pieces in line to get it done adequately.

18 Q. Okay.

19 A. I think that, cost-wise, it would be less
20 than a hundred thousand dollars but more than 50.
21 Again, I'm sorry I didn't crunch the numbers to this
22 type of thing.

23 But I think it would be somewhere in that
24 75-ish range, depending on -- it doesn't have to be
25 top-drawer to make it resellable. I'm just talking

1 about just getting the furnace complete.

2 You could probably spend 30 grand and maybe a
3 bit more than that. But I'm just saying, somewhere in
4 that range for homes that are going for -- you know, in
5 the -- in the mid 300s, in that area.

6 You know, you tear it down, you got just
7 land. And so you have a ginormous drop. I mean, so
8 that was one of the reasons why I even was personally
9 trying to help Dave.

10 I said, "Dave, you got equity. There's --
11 there's -- I know you can't afford it, but you got some
12 equity."

13 Q. Do you know what the mortgage -- current
14 mortgage is?

15 A. Sir, I don't. I'm sorry.

16 Q. We'll find out.

17 A. Okay.

18 Q. But --

19 A. But from what I understood, his equity was --
20 I thought it was, like, less than -- I don't know. But
21 I thought it was a hundred thousand dollars, up to 2 --
22 less than 200, something that it was.

23 Q. If it was brought up to a reasonable
24 condition, it's in the 350 to 4 -- what's the range --

25 A. Well, it would -- again, I didn't do an

1 appraisal intentionally. But it would be somewhere in
2 that mid 3s, \$300,000. 'Cause you got a basement, a
3 finished basement, and then you also -- main -- you
4 know, the main level.

5 It's a ranch-style home. It's got a two-car
6 garage. So it has designerability. It's in Littleton,
7 I mean. So . . .

8 Q. So what -- what's -- what's your best guess?

9 A. In the mid 3s, 350, in there somewhere. I
10 think the -- I think Zillow said, like, 390 or
11 something like that. I never trust that. But that's
12 another topic.

13 Q. Okay.

14 RON MANSKE: Mr. Chairman, I have a question.

15 Q. (BY RON MANSKE) I take it from your
16 testimony that there may be investors interested in
17 this property; is that correct?

18 A. I'm sure there are investors. We even have
19 people that were interested that had come in, and yet
20 there's reservations from those investors because of
21 not knowing what the City's going to do.

22 Q. Understood. And what type of -- what type of
23 investors are we talking? Shared equity with the
24 current owner? Are we talking about people that want
25 to buy the property?

1 A. Most of these -- the -- to my understanding
2 are contractors or business people that want to fix and
3 flip. They're in that kind of . . .

4 Q. Okay. And perhaps the question's more
5 appropriate for the owner himself. Okay.

6 DAVID MITCHELL: Thank you.

7 MATTHEW GEORGE: All right. Thank you.

8 KEN FELLMAN: Mr. Chairman, if might ask a
9 question. If the Board is --

10 DAVID MITCHELL: That'd be fine, yeah.

11 Q. (BY KEN FELLMAN) Sir, just to follow up on
12 the City Attorney's question, he had asked about
13 building permits, and you had referenced the big-ticket
14 items and wanting to do that.

15 If I understood you correctly, you said
16 there's been a number of other improvements, so changes
17 in the property, and you said we'd be seeing
18 photographs. Do you --

19 A. I don't -- they --

20 Q. -- know if there have been building permits
21 issued for the work that has been done so far?

22 A. Well, let me just tell you one of the things
23 that we did. And the back yard was horrible. The
24 front yard was horrible. That got cleaned out.

25 The house needed to be cleaned out. All of

1 that stuff got cleaned out. There was some siding that
2 was -- pieces of siding that got put on, just that were
3 dilapidated, just -- like, things that needed to just
4 at least be in that repair, not -- you know, again,
5 couldn't afford to do the whole thing.

6 But, yes, sir, we did some repair along those
7 lines to at least get the siding and the yard and the
8 interior so that you don't have rodents and things like
9 that. That just needed to get cleared out.

10 Q. And my understanding is that a building
11 permit's not required for several --

12 A. No, sir. No, sir. And, really, to -- some
13 of that stuff, it was just a Band-aid. You know what
14 I'm saying? It needs a little -- it needs work. So
15 don't make any mistake about that. That's not a
16 question.

17 It's -- definitely needs work. But I'm
18 saying it's redeemable. That's -- that's a big point
19 for me. It's -- shouldn't be condemned.

20 KEN FELLMAN: Thank you. I appreciate that.

21 DAVE LYNCH: Now call Linda Birch.

22 DAVID MITCHELL: Thank you.

23 LINDA BIRCH: Chairman Mitchell and Board
24 members. I will just be brief because I think, really,
25 what you need to see --

1 DAVID MITCHELL: Hang on a second. We need
2 to swear you.

3 KEN FELLMAN: Sorry. We need to swear
4 you in.

5 LINDA BIRCH
6 was called as a witness on behalf of the Appellant, and
7 having been sworn, was examined and testified as
8 follows:

9 LINDA BIRCH: Again, my name is Linda Birch,
10 and I didn't get to introduce myself fully at the last
11 meeting. I am a member of Centennial Covenant Church
12 also, and an elder. I've known Mr. Lynch for about
13 seven years.

14 I too have seen a change in Mr. Lynch's --
15 what I want to -- really want to say is I see tenacity
16 in this man. He has had multiple problems. He, like
17 you, wants to be in his home.

18 And I know that sounds like an emotional
19 appeal, and in a way it is, because he has
20 unsurmountable problems, but he hasn't given up and, in
21 fact, has worked with us. We want to work with him.

22 And I think it's interesting that it's so
23 difficult. I don't know if any of you have struggled
24 with financial help, but that has been an enormous
25 barrier for him.

1 And even today, just in talking with people,
2 you find out sources that there are people you go to.
3 They're just not known. And I agree with Mr. George
4 that I've been at the building, and we were able to
5 clean it up.

6 Nothing that needed a permit, but we were
7 able to clean up, clean out. Mr. Lynch wants that
8 property in a livable condition. That is his goal.
9 And we want to help him do that.

10 I really want -- I really can't say too much
11 more because I want you to hear and -- what has been
12 done, with things that are alleged -- yes, there's work
13 that needs to be done.

14 But you will see from the photos, which I'm
15 pretty sure Mr. Lynch will be showing you, this is not
16 a house -- this is not a structure that's falling down.
17 This is not a house that's been abandoned forever.

18 He's made his house payments, his insurance
19 payments. He's been over there. He has tried to do
20 it. A lot of times, that just hasn't worked out. So a
21 plan going forward would be wonderful, and it would be
22 great.

23 I know there's problems with it. And the
24 typical case of do this now, the alleged violations,
25 they must be done now. I'm hoping that you will think

1 broader than that, possibly an independent way of
2 having Mr. Lynch report progress.

3 I just think there are many things that can
4 be considered to preserve both Mr. Lynch's being in the
5 home and the property, which is part of Littleton.
6 Thank you for listening to that.

7 DAVID MITCHELL: Thank you. Hold on a
8 second.

9 STEPHEN KEMP: I have a question --
10 questions.

11 Q. (BY STEPHEN KEMP) Ms. Birch, do you know if
12 Mr. Lynch is current on his mortgage?

13 A. I have been told that he is, yes.

14 Q. Do you know if the house currently has
15 property insurance on it?

16 A. I have been told that he has, yes.

17 Q. And do you know if the utilities have been
18 paid?

19 A. I believe -- I have personal knowledge that
20 he has applied for assistance. And, yes, they are
21 being paid.

22 STEPHEN KEMP: I have no further questions.

23 DAVID MITCHELL: Thank you. Anybody on the
24 board?

25 (No response.)

1 DAVID MITCHELL: Okay. Thank you.

2 DAVE LYNCH: So before I go to the slides,
3 did I understand correctly, with Ms. Chadbourne, you
4 guys said that she could speak as a witness?

5 DAVID MITCHELL: She can.

6 DAVE LYNCH: I'm going to -- I don't know
7 her, per se, but I'd like to hear what she has to say.
8 I know she's into this grassroots, watching the
9 government-type hobby.

10 And so I'd be greatly interested in what she
11 has to say because she's much more adept at doing
12 research than I am.

13 DAVID MITCHELL: Okay. Pam.

14 PAM CHADBOURNE
15 was called as a witness on behalf of the Appellant and,
16 having been sworn, was examined and testified as
17 follows:

18 PAM CHADBOURNE: I'm -- well, my name is Pam
19 Chadbourne. I didn't prepare to do this. But I will
20 perhaps say what I said last time.

21 I'll just clarify: Actually, I love
22 government and believe that it is the People's voice,
23 and the people are responsible for making good
24 government.

25 If we don't show up, we will not have good

1 government. I like to show up and make my attempt.
2 And successful or not, it's my responsibility to try.

3 So I'm not really watching. I just want
4 government to be all it can be, and certain people.

5 So what I said the last time is, I'm a
6 taxpayer in Littleton. I live here. I'm a resident.
7 I'm a homeowner a block and a half from here.

8 And I don't think it's in the interest of the
9 City -- of the people of the city, those of us who pay
10 taxes and contribute, to demolish this house. And it
11 was good to hear from someone who has an expertise that
12 the property is redeemable.

13 I think it is too, from what I've read. Of
14 course, that's not adequate, but it sounds like it is.
15 In this market, I can't believe -- a property in that
16 area, somebody can make that work.

17 As I mentioned before, maybe that's the
18 private sector, not the public sector. And there's a
19 way the City can make different versions of that
20 happen.

21 So there's an intermediate ground or steps
22 before demolition that I think just must be done. It's
23 not a question of whether it's nice or good or
24 anything. It's just, what is the obligation of
25 government to do?

1 That's my belief. So as a taxpayer,
2 demolishing a home is, what, \$40,000, \$50,000, \$60,000?
3 I don't want to pay that. I want the City to give an
4 opportunity for this -- this property to be put on the
5 market, sold, and then turned around and become
6 productive.

7 Or -- and before that, this owner must be
8 given a chance to finish the process he started. And
9 we've heard that there's a change. First, you've got
10 to give the owner a chance.

11 And I totally get that there's been six
12 years. But, I mean, you've heard testimony there's a
13 change. It sure looks to me like there's an effort to
14 start, and he's got support.

15 And that makes huge difference. There's
16 other people working with him, and they will move this
17 along, I believe, from what we've heard. So give that
18 homeowner a chance, some time.

19 And I don't know whether it's six months,
20 eight months, nine months. It's winter now. So I
21 wouldn't -- you know, some of this work is interior.
22 But I'd give some time for winter.

23 And give a chance for this to be completed by
24 the owner. That's up to you. You folks know more than
25 me. But -- see if that could be completed. That,

1 obviously, for all of us in the city, that's the way we
2 would like to be treated.

3 And I think that's part of your charge is to
4 reflect that treatment of all of us here. So -- and
5 then, after that, there's alternatives to demolition
6 for the City and the taxpayers.

7 Really, that's all I was trying to get at. I
8 haven't a personal knowledge of this property or the
9 owner. And I -- I don't have a personal interest in
10 it, like I said, other than as a citizen.

11 And to me, there's a governmental obligation
12 here, which you folks will -- will represent. And I'm
13 grateful for those things.

14 DAVID MITCHELL: Thank you. Steve, do you
15 have anything?

16 STEPHEN KEMP: Yes, I do.

17 Q. (BY STEPHEN KEMP) Now, Ms. Chadbourne, isn't
18 it true that your only interest in this property is
19 that of a taxpayer?

20 A. No. I'm a homeowner in Littleton.

21 Q. Yes, but you don't have any personal
22 knowledge of the conditions of this property, or, in
23 fact, you don't -- until tonight, you don't even know
24 Mr. Lynch?

25 A. Actually, I've met Mr. Lynch to say hello in

1 a couple of other City meetings and another couple of
2 other meetings.

3 Q. And you don't have any -- do you have any
4 personal knowledge about how long this property has
5 been in disrepair and how long this has been the
6 subject of action by the City?

7 A. Well, the City's report is, like, six years.

8 Q. But you don't have any personal knowledge of
9 it?

10 A. No.

11 Q. And are you either a Realtor or real estate
12 appraiser?

13 A. No.

14 Q. And so your estimates of value of what could
15 be done with the property is just based upon your
16 personal opinion?

17 A. True, and driving by and looking at it and
18 comparing it to the other properties in the
19 neighborhood, and -- you know, just like anybody would
20 if you're driving through a neighborhood.

21 Q. But you have no professional expertise?

22 A. True. It's only as a homeowner and home
23 shopper.

24 STEPHEN KEMP: I have no further questions.

25 DAVID MITCHELL: Thank you. Anybody on the

1 Board?

2 (No response.)

3 DAVID MITCHELL: No? Thank you.

4 PAM CHADBOURNE: Thank you.

5 DAVE LYNCH: David Lynch. Let me see if we
6 can get this projector to work.

7 DAVID MITCHELL: Denise, can you help him
8 with that?

9 DENISE CIERNIA: Do you need me to flip it
10 over?

11 DAVE LYNCH: This is just -- just a piece of
12 not evidence, per se, but --

13 KEN FELLMAN: I'm sorry to interrupt.
14 Mr. Lynch, I want to swear you in as well. I want to
15 ask you a question.

16 DAVE LYNCH,
17 the Appellant, was sworn and testified as follows:

18 KEN FELLMAN: For the record, you made a
19 number of statements about the case during your opening
20 statement, which was before you were sworn in.

21 Is it your intent that those statements that
22 you made to the Board, that should be considered as
23 part of your sworn testimony tonight?

24 DAVE LYNCH: Yeah. Yes.

25 KEN FELLMAN: Thank you, sir.

1 DAVE LYNCH: Okay. Just so, you know, this
2 idea that I have done nothing, you know, in 2012, I was
3 approved for a HUD loan through Littleton Housing
4 Authority.

5 But once the City got ahold of me and they
6 put me in parole, the parole officer did nothing with
7 that. And everything had to go through her. I was
8 supposed to do X, Y, and Z, and she was to supervise
9 it.

10 And all of those people were supposed to --
11 so that's where the \$5,000 use or lose -- we wouldn't
12 even be here if the City would have done their job.

13 But here's another -- went to Brothers
14 Construction Company because the Housing Authority no
15 longer deals in HUD loans, or HUD grants.

16 So this is July 11th, and, you know --

17 DAVID MITCHELL: July 11th of . . .

18 DAVE LYNCH: 2018.

19 DENISE CIERNIA: Mr. Lynch, I hate to
20 interrupt you. Would you mind just swinging the
21 microphone towards you?

22 DAVE LYNCH: Okay. Better? Yes.

23 RON MANSKE: Can I ask one quick question,
24 Mr. Chair? Are we to save all questions until after
25 his testimony?

1 KEN FELLMAN: All questions of Mr. Lynch
2 until he finishes his testimony, yes. Thank you.

3 RON MANSKE: Till he finishes? Thank you.

4 DAVE LYNCH: I've got -- I'm going to the
5 City's Inspection Report Notice and Order. As best I
6 can.

7 DAVID MITCHELL: It would be better if you
8 put up what you want to project, and then go back
9 around and stand in front of the microphone. We just
10 don't want your testimony to not be recorded.

11 DAVID LYNCH: Okay. So you gentlemen and
12 lady have a copy of this Inspection Report, you know.
13 It's 303 -- 304 is one of the numbers. 305 is this
14 Order to Repair and Make Corrections.

15 DAVID MITCHELL: Denise, do you know if it
16 was in the packet?

17 DENISE CIERNIA: That's what I was
18 double-checking. No, sir, it was not in the packet.
19 It's being introduced as evidence now.

20 DAVID MITCHELL: Thank you. If you put it up
21 so that we can read it, please. Put it on the
22 overhead.

23 DAVE LYNCH: Yes.

24 DAVID MITCHELL: Thank you.

25 DAVE LYNCH: We're going to go right down the

1 line. It says, "Exterior" -- "The exterior of the
2 structure should be maintained in good repair,
3 structurally sound, and sanitary, so as to not pose a
4 threat to the public health, safety or welfare."

5 Observations by the City: "The exterior of
6 the structure is in an extreme state of disrepair, with
7 evidence of water intrusion at the roof and walls.
8 Walking surfaces on the front and rear entryway are in
9 dangerous state of disrepair."

10 DAVID MITCHELL: I just want to -- hold on.
11 And I want to make a point that the date of all of this
12 is August 1st, 2018. Go ahead.

13 DAVE LYNCH: Now, I've got some pictures.

14 DAVID MITCHELL: This is -- that is the date
15 is December 18, 2018?

16 DAVE LYNCH: Yes. This is the front entryway
17 and the garage. That is what it looks like now. This
18 is what I think they're talking about, the intrusion.

19 I don't know because they never bothered
20 bringing anybody, other than themselves, speaking as
21 the City. So you can see where the water had rotted
22 away the window sills.

23 And they have been replaced, and some of the
24 siding has been replaced, you know, cut off with -- by
25 the hand saw that I exhibited to you guys.

1 DAVID MITCHELL: Do you have a picture after
2 that work was done?

3 DAVE LYNCH: What?

4 DAVID MITCHELL: Do you a have picture after
5 that work was done?

6 DAVE LYNCH: That is it.

7 DAVID MITCHELL: It's not painted?

8 DAVE LYNCH: It's not painted, but it was the
9 part that previously had been rotted out.

10 DAVID MITCHELL: Thank you. Okay.

11 DAVE LYNCH: Not totally rotted out, but
12 enough that we thought that this needed to be done. So
13 some of the siding has been replaced. Not all of it.
14 The exterior of the house has been painted.

15 Although, as infamously portrayed back in,
16 what, 2008, you can put lipstick on a pig, but it's
17 still a pig. But we did what we could do.

18 The front walk has not been totally leveled.
19 You know, one of the suggestions -- because we don't
20 have water, so we can't make assessment, or -- is to
21 use, you know, road base, or -- we went further than
22 that. We used gravel, crushing stone, as best we could
23 ,to level it and make it non -- I guess they were
24 saying it was a trip hazard.

25 DAVID MITCHELL: Do you have a photo of that?

1 DAVE LYNCH: Yes. But I have it under --
2 see, they put under two different -- they made -- put
3 it under "exterior," but then they put it under
4 "egress," whatever egress actually means.

5 And so we did take about 30 yards' worth of
6 material out of the back yard. It was -- you know, as
7 Ms. Birch said, we did do, like, brush reduction
8 because we needed to be able to get to the electrical
9 meters so Xcel could get there. And the City was --
10 did issue a building permit for the electrical.

11 And then they wanted me to tear down the
12 neighbor's fence, but that didn't happen, but we did
13 remove also -- also old fencing that was in the back
14 part of the -- part of the yard.

15 Next, we're going to do interior maintenance,
16 which is Code 603. (Showing photo.)

17 DAVID MITCHELL: Can you read that to us?

18 DAVE LYNCH: 603 is a mechanical. All
19 mechanical appliances -- fireplaces, solid fuel,
20 burning appliances, cooking appliances, water heating
21 appliances should be properly installed and repainted
22 in a safe working condition.

23 "Observation: Non-functional equipment,
24 stripped of parts." I don't know what it meant,
25 "stripped of parts." And "deteriorated beyond repair

1 and no gas utility." So as part of -- so this is
2 the --

3 DAVID MITCHELL: Hold on a second. Just hold
4 on a second. That is at a place in the packet. I
5 think I'd like to find it so we can follow along. Just
6 give us a minute.

7 Let's -- we have a copy of that someplace.
8 I've seen it. I think it was -- it was C4, a copy of
9 his appeal. It was included from the December packet
10 on the sixth page in.

11 Okay. I think we're good. And you found
12 yours? Okay. We're good. Thank you. Okay.

13 DAVE LYNCH: And I have more exterior
14 pictures that I had, where I -- this is the garage.
15 (Showing photo.) And, as you can see, on the left-hand
16 side, above the light, now, this siding is all solid
17 except for on the very bottom.

18 You can see, on that fake chimney, it's
19 deteriorated, and that's all along -- that goes all
20 along the bottom of the garage. But the rest of the
21 siding is okay. How do you get that out? That, I
22 don't know.

23 And -- but that has been painted also. And
24 this is part of what they're calling extremely
25 dilapidated, I believe.

1 DAVID MITCHELL: Okay. We can hear from the
2 City on that. Okay.

3 DAVE LYNCH: This is the furnace after CIP --
4 I don't know; emergency, they came out to fix the
5 furnace. And the technician, because I was approved
6 for it, so they are assisting me with my energy bill.

7 But also, under that is that they, during the
8 winter, will replace the furnace for free. Which he
9 could not repair it because this is original equipment
10 from when the house was built in '84. '84.

11 DAVID MITCHELL: Hold on a second. Thank
12 you. Go ahead.

13 DAVE LYNCH: The same thing, you can just see
14 a little bit of the water heater. Because of the
15 vandals, the basement got flooded, and I was never even
16 notified by the -- by either the city police or the
17 code department.

18 And the code -- and both of those departments
19 were involved in this matter. But the water heater is
20 also covered. Mr. George was talking about big-ticket
21 items. All appliances can be replaced. Potentially,
22 some windows.

23 There will be free weather -- weatherization
24 offered. And, actually, it is going to be mandatory.
25 If I refuse, they're going to take me off the program.

1 Now, I didn't have them put in a new furnace because,
2 exactly what you said, are they going to be going -- am
3 I going to waste somebody's resources of someone that
4 needs something and have them put in a furnace for a
5 house that's vacant because the City won't let me live
6 in it, and then have them plow it under?

7 So this was not disassembled, or whatever,
8 the stripped of parts. This was stripped of parts by
9 the technician with Bob's Heating and Plumbing, who, I
10 guess, I understand I'm approved for a new furnace, but
11 we have to wait for the decision of the courts.

12 We're on Number 504, "All plumbing fixtures
13 shall be properly installed and maintained and in
14 working order. Copper piping and fixtures are missing,
15 abandoned, and are non-functional. No water utility."

16 So, yes, my house was broken into, and they
17 mined the copper, is one of the terms that is used for
18 it. The house has been replumbed and checked by PE.
19 This is just showing the PEX piping.

20 DAVID MITCHELL: Dave, what's the date on
21 that?

22 DAVE LYNCH: That was -- (showing photo.) I
23 don't remember when it was done. It was done before
24 the September inspection. But this -- you know, this
25 picture says 12, but it was done back in September.

1 But we could not get a water heater put in.
2 Denver Water was out. The gentleman's name is Chris --
3 you guys try to pronounce that name. But he has agreed
4 to try to help me find a water meter.

5 But the only thing is that they call it a
6 vertical leveler. And I had been to Ferguson Plumbing
7 and Supply, and they said, Well, we can't sell a
8 leveler until we know what size the meter is.

9 This is sort of like the Xcel. We can't do
10 this until you get this information, and you can't get
11 that until you get that information.

12 It took us from July 19th to get power, when
13 they said it was going to be turned on the next day,
14 the 20th, and it didn't get actually turned on until
15 August, more or less, 28th.

16 I don't have an -- as we move on with the
17 pictures. (Showing photo.) There's the new electrical
18 meter, and a permit was pulled. The City did come and
19 inspect it and approved it. So we got power.

20 (Showing photo.) On to interior. Number 305
21 says, "Interior of the structure and equipment in there
22 should be maintained, in good repair, structurally
23 sound, and in sanitary conditions.

24 "The entire interior is in extremely
25 unsanitary conditions, with biohazard material

1 throughout." Whatever biohazard is; we never did
2 figure that out. But when these guys broke into the
3 house, they, of course, ransacked it.

4 And once the City inspected it, they had
5 dumped out boxes, some of the boxes I had had since my
6 college days, which is back in the '80s. Looking for
7 money, savings bonds, valuables.

8 But here's the -- and I heard concern that,
9 you know, how can a house be demolished just because of
10 paint and siding? And what it was is my guests.

11 (Showing photo.) That, when they mined the
12 copper out and cut out the water meter, they flooded
13 the basement. And they call it rapid response in order
14 to -- you know, more damage.

15 Well, I didn't get rapid response because I
16 was never notified by either city department previously
17 mentioned. So here's what we have done. We have
18 abated the mold issue.

19 And I'm not going to, you know, dance around
20 it because it is what it is. Once the water was in
21 there, it's allowed to fester for six years because I
22 was locked out of the house, so all the -- drywall with
23 mold on it has been cut out.

24 The insulation has been removed. The wood
25 has been brushed. And I forgot the fancy word they use

1 for painted. Painted with KILZ mold killer.

2 So here's one corner of the basement.

3 (Showing photo.) Here's another corner showing --
4 well, you could see it. There's siding on that back
5 wall that's all been taken out.

6 The drywall that we could find mold on has
7 been removed. And, of course, there's no insulation
8 because it's an inside wall.

9 (Showing photo.) This is a picture of the
10 basement also. And it is the reason why I didn't
11 remove the carpeting is because, on that corner, you
12 can flip it up, and there's no mold, there's no water,
13 there's no damage to the carpet or the padding. So I
14 left it.

15 You know, but you can see, even behind that
16 little dry bar, the panelling or the drywall has been
17 removed, along with the . . .

18 Now we're going -- this is still the
19 interior. (Showing photo.) This is the kitchen area.
20 The stove, half the -- half the burners work because
21 when we took it out, it was non-functional anymore
22 because it was damaged by the vandals.

23 Above the stove, microwave, it broke off two
24 handles. But as I previously stated, I am tentatively
25 approved for a new stove, new refrigerator through the

1 LEAP Program. (Showing photo.)

2 DAVID MITCHELL: Slide it so we can see the
3 date. Thank you.

4 DAVE LYNCH: So this is the little
5 kitchenette floor. We won't call it a real kitchen.
6 It's only about 4-foot wide. And, unfortunately, it
7 doesn't -- the old vinyl flooring is in pretty sad
8 shape after 30 years.

9 So -- but there's a box of new tiling, if
10 you -- if you could see it. That's waiting to be put
11 down. But why do work -- you know, it has been
12 repeated several times, why do work if I'm not going to
13 be allowed to inhabit?

14 (Showing photo.) This is a picture of the,
15 quote, unquote, master bedroom -- or master bedroom.
16 Everything has been -- you know, they were saying we
17 didn't remove stuff from the floor.

18 Everything's off the floor. The old bedding
19 is just sitting on the bed. And this is from the
20 bedroom door view. (Showing photo.) That's just
21 looking out.

22 So you can see that the clutter isn't just
23 dispersed to another -- another area of the closet.
24 You can see in the closet. There's a few jackets.

25 There's some blinds that I got at a garage

1 sale, but they're not the right size, and I just never
2 got rid of them.

3 (Showing photo.) Here's a picture of the
4 living room. That's showing the fireplace. Again,
5 we're doing the floor view because that's supposedly
6 what's part of the interior egress issues the City had.
7 And you can see, you can see the floor. And . . .

8 (Showing photo.) This is just the spare
9 bedroom, for lack of, you know, any other name. It's
10 the second bedroom. There's a chair in there. And
11 that's about it. A CD holder.

12 Everything else has been removed except for
13 there is an armoire, or whatever you call it. Just to
14 the left. It's -- you can see the floor. Again, I
15 guess, one of the issues -- major issues.

16 (Showing photo.) The closet in the entryway
17 to that second bedroom, storing some of the stuff that
18 just needed to be out of the way from other places that
19 people suggested I just store things that I wanted to
20 keep in this bedroom while we cleaned the rest of the
21 house and garage.

22 (Showing photo.) We're moving to Number 702,
23 "Means of Egress. A safe and continuous obstructed
24 path of travel should be provided. Egress is
25 compromised in every room of the structure, due to

1 accumulation of trash and miscellaneous items." And we
2 did inside, so we're going to go to the egress on the
3 outside.

4 (Showing photo.) So this is the front
5 walkway. And I was told, even though it's ugly, and it
6 was going to be ugly, the cinder is on both the walkway
7 and the porch.

8 And even though I bought the house with the
9 porch that way, I still, because the code people now
10 say I have to fix it, even though it was originally
11 like that, and the drop was more than 8 inches. It was
12 12 on one side and 14 inches on the other side.

13 So I just put in cinder blocks, which I've
14 been told is legal but is ugly. And the code people,
15 I'm sure, have issue with it. But it is what it is.

16 (Showing photo.) This is a picture of the
17 back. This had been completely covered by a deck, and
18 the main spine of the deck had deteriorated, and some
19 of the boards, the ends, had been -- because I had
20 thought, Well, I'll have a cutesy outdoor patio and put
21 a rug on it, and it, of course, rotted out the ends of
22 the board.

23 So even though the rest of the deck was rock
24 solid and a son of a bitch to take out, we took it out
25 because that's what the City wanted. We did it. This

1 is what it currently looks like, 12/17 of last year.

2 And you can see more siding been replaced,
3 both on the left-hand side and the right-hand side.
4 (Showing photo.)

5 And this is just copy of picture of the back
6 yard -- (showing photo) which is -- I didn't want to
7 include. But some of my team of supporters, said,
8 Well, you need to show this because the City may have a
9 picture of that whole pile of branches that we had cut
10 out because in order to paint the side of the house, we
11 had to remove all these chokecherry suckers and
12 saplings and lower branches of the junipers that are
13 around on the side of the house so it could be painted.

14 So that stuff has all been removed. And I
15 have another issue. One of the things the City said,
16 that in two years, the last two years, nothing has been
17 done -- well, a year ago, a group approached the code
18 people, Rebecca Thompson, and said, We'd like to go in
19 and help this guy. What kind of resources do you have?

20 And she said, We don't have any resources for
21 him because he's cost us too much money as it is.
22 Well, come to find out there's a gal named Carol
23 Brzeczek who had run for city council. She lives in
24 the city of Littleton.

25 And, like Pam, she's part of this multiple

1 groups that sort of are concerned about how our
2 government is run. And come to find out, even though
3 Ms. Thompson told Lisa Caruthers that there was no
4 money and the City wasn't interested, come to find out
5 Carol Brzeczek has raised a group called the Garden
6 Gang and some other people with other various groups.

7 They went into this house right around the
8 corner from me, about ten houses away, and the City
9 paid for all paint and the siding, and she told me it
10 took months and months of them working -- because
11 they're not professionals.

12 (Showing photo.) And this is, you know, just
13 a picture. And this is 7839 South Windermere Circle.
14 And the City said, There's no money. And she said,
15 Well, the City gave us money for the rehab of this
16 house.

17 But let me show you a sort of . . . (Showing
18 photo.) Really interesting. So you got that picture.
19 And this is what the City approved on the back. They
20 painted the front of the house and both sides of the
21 house, and they left the back of the house completely
22 untouched.

23 My constitutional right says life, liberty,
24 and property, which means I'm supposed to be treated
25 just like everybody else . Now, this -- now, the City

1 can go into my back yard and bust down my gate so they
2 have access to my property and make me do all sorts of
3 stuff in my back yard, but here's a property ten houses
4 away where there's a double standard.

5 So I thought that was kind of interesting to
6 bring that up. You know, there's money for other
7 people, but all of a sudden, there's not money for me?
8 You know, for a group to come in and help?

9 And I think that ends my presentation.

10 DAVID MITCHELL: Thank you. Steve?

11 Q. (BY STEPHEN KEMP) I have a number of
12 questions. First, Mr. Lynch, have you applied to the
13 City for a building permit for either the furnace or
14 the plumbing?

15 A. That's going to go through -- that's going to
16 go through LEAP. I'm not -- that's not part of my
17 program. That's part of the program of LEAP called CIP
18 Emergency. I don't know what CIP means, but they were
19 responsible for all the --

20 Q. But you have no knowledge whether a permit
21 was applied for or not?

22 A. No.

23 Q. And that would also be true if the furnace
24 was going to be replaced? You don't have any knowledge
25 of whether a permit was --

1 A. No. That's --

2 Q. -- pulled for it?

3 A. -- part of a program that Xcel Energy runs.
4 And I have nothing to do with it, other than open the
5 door and be there while they do it.

6 Q. And from 2013 to the present, isn't it true
7 that you could have approached Code Enforcement to have
8 gone to the property and made repairs?

9 A. I could have, but why didn't Code Enforcement
10 contact me? And I look at it as government -- the
11 government's going to intervene and be against me,
12 instead of the government being for me or helping me.

13 You know, I'm the taxpayer. They're supposed
14 to be helping taxpayers instead of getting what some
15 government agencies call making more barriers. And
16 some of those barriers that have been presented to me
17 by the community resources people have not been very
18 helpful.

19 Or, matter of fact, they've been very
20 vindictive, and whatever you want to say. I don't want
21 to say because I'll get in trouble.

22 Q. Now, Mr. Lynch, isn't it also true, you don't
23 have any personal knowledge on 7830 (sic), whether the
24 City actually wrote a check or how that was paid for?

25 A. Yes. I talked to Carol, and she told me that

1 the City paid for it. The City put in a Dumpster. And
2 as a matter of fact, and in 2014, while I was homeless,
3 I went on a ministry trip, and I was working up in
4 Estes Park at a church camp, and community resources
5 approached someone that I knew and offered to put in a
6 Dumpster and the supplies, and they never showed up.

7 Q. But, in fact, Ms. Brzeczek doesn't work for
8 the City, so she wouldn't --

9 A. No, she doesn't.

10 Q. -- know whether the City actually wrote a
11 check or not?

12 A. All she can do is go by the word of the City
13 employees that she worked with.

14 Q. Now, Mr. Lynch, isn't it true that you have
15 actually -- were prosecuted for a number of offenses
16 pertaining to this property?

17 The -- including the -- has there been an
18 issue between you and your neighbor regarding the use
19 of the neighbor's water without their consent?

20 A. Years ago. And guess what? The City
21 Attorney's office illegally overcharged me. I was
22 supposed to make restitution. That means loss.

23 You should tell me how somebody takes \$400
24 worth of water in supposedly one day. That was years
25 ago. What was the date on that?

1 Q. But, in fact --

2 A. What was the date on that, Mr. Kemp?

3 Q. You don't get to ask me questions. In fact,
4 you were actually convicted of it, and you were
5 actually sentenced to the theft of water?

6 A. Yes. I've been in court since six months
7 after I bought the house. I've been in court so many
8 times, I am just up to here. Between this neighbor
9 deciding that she's going to use the City as a
10 sledgehammer.

11 Six months. I wasn't even in the house six
12 months, and I started to show up to court, you know, on
13 a regular basis because she decided that I wasn't a
14 good enough neighbor.

15 You know, she drove out the people before us.
16 His name was -- I just saw it. And they -- they rented
17 for one year because this property used to be a rental
18 for a long time. It was owned by a -- you know, one of
19 those -- whatever they call it.

20 And she drove them out. She drove the people
21 out before that, according to what the neighbor said.
22 Joe Rankin, I believe his name was.

23 Q. You don't have personal knowledge of that?

24 A. No. All I knew is that she said, Oh, I'm
25 glad somebody bought the house and not a renter

1 anywhere, and they will take care of it and they have
2 no dogs. And within two months, I had a dog, and that
3 sent the ill will spiralling.

4 Q. Now, wasn't there, in fact, the case
5 involving a dog too?

6 A. There were several.

7 STEPHEN KEMP: I have no further questions.

8 DAVID MITCHELL: Anybody from the Board?

9 RANDY HOUCHEN: Couple of questions for you,
10 Mr. Lynch.

11 Q. (BY RANDY HOUCHEN) Do you have water service
12 to the property now today?

13 A. No, because there's no what they call
14 horizontal leveler. And the guy from Denver Water says
15 they don't put in the meter until the furnace is put
16 in.

17 So it's one of those catch-22s. They're not
18 going -- it's all ready. He gave the preliminary
19 approval once I told him it had already been inspected
20 by the PE. And so until the furnace gets put in, no
21 water.

22 Q. Right now, you have no furnace?

23 A. No water.

24 Q. No water? Do you have electricity?

25 A. I've got electricity and gas.

1 Q. Okay.

2 A. So they can -- you know, once we find out the
3 verdict here, we can get Bob's Plumbing and Furnace,
4 because apparently, it's already been approved, from
5 the message that they sent to the church.

6 Q. The second question I have, do you have
7 documentation of all the work that's been done since
8 2012 to bring the property up to code?

9 A. Per se, bills, yes. I didn't bring those.

10 Q. Okay.

11 A. So . . .

12 Q. Well, you made a number of statements about
13 what had been done. You showed us pictures. I just
14 wondered, do you have a timeline for them when they
15 were done?

16 A. No. The -- but -- only in my head. I didn't
17 write them down. The deck was removed maybe
18 August 10th. The crusher fine was put in before the
19 September -- before the September inspection, I
20 believe, on the sidewalk, but not the porch.

21 September -- and I think I have it in my
22 head -- it was September 12th that the window sills and
23 the painting were done.

24 Q. This is all 2018?

25 A. 2018.

1 Q. I'm more concerned about the previous five or
2 six years.

3 A. Okay. Nothing was done in 2012 because I was
4 under the -- what do you call it? -- supervision of the
5 City employee. It -- and she never followed through on
6 anything.

7 So that's where the \$5,000 use or lose got
8 thrown out the window, which would have prevented all
9 this. But I made application to the Housing Authority.

10 Because of the directors, I guess,
11 association with the Community Development, one person
12 said, This is a crisis, and he said, This is not an
13 emergency.

14 And so Kimberly something that worked with
15 the Housing Authority back then when they did do HUD
16 loans, said, Okay, we'll process it. And I said, Okay,
17 you just get ahold of this person. Let me think if I
18 can think of her name. In probation.

19 Q. That's okay. I was just wondering.

20 A. In '13, nothing was done. In '14, when this
21 person, you know, got the message that the City was
22 going -- was willing to supply money and a Dumpster
23 that never showed up, nothing was done.

24 So I just said, Well, if the City's not going
25 to do anything, I'm just waiting on them. And I still

1 remember I couldn't get into the house. I was locked
2 out of my own house.

3 Q. And then, I have two more questions. What
4 was the original reason your house was condemned in
5 2012?

6 A. Clutter. So I had zero -- I was -- back
7 then, I was zero income, which, you know, I didn't have
8 a job.

9 Q. Right.

10 A. And so there was just -- you know, you go to
11 the humanitarian, you know, whatever reason, is it
12 safer to live in a messy house or safer to live out on
13 the street in your car and then have the police come
14 and be banging on your car at 2:00 in the morning
15 because it's Lynch?

16 Q. Okay. Then my final question is, in your
17 appeal, you mentioned that you maintained your mortgage
18 payment.

19 A. Correct.

20 Q. Property insurance?

21 A. Correct.

22 Q. And insurance on your property and taxes?

23 A. Yes. That's all part of escrow.

24 Q. But you -- you specifically said the vandals
25 did a lot of damage, a lot of extensive damage. And

1 your insurance wouldn't pay for that?

2 A. I talked with my insurance agent, and he
3 said, Once you file that, we're going to drop you. So
4 until everything's -- you know, sort of like that Frank
5 D. Azar commercial. We didn't settle until
6 everything -- we made sure everything was okay.

7 And until everything's aligned, the stars or
8 whatever, however you want to put it, I have not
9 made -- not a case, but -- a claim -- a claim with my
10 insurance company because I've already been told I'm
11 going to be dropped.

12 And then, once I'm dropped, then it's -- just
13 gets to be a real pain in the ass. One of the pastors
14 at the church, he was switching insurance companies,
15 and his mortgage company decided to charge him \$2,000
16 every six months for his homeowners insurance because,
17 according to their records, there was none.

18 And so until I can get everything lined up
19 that I get a different -- because I'm with State Farm.
20 And until I move to Farmers or AARP, or whatever, until
21 I get back up and ready, why file a claim to be -- all
22 of a sudden have nothing, and then maybe have my
23 mortgage pulled out from under my feet?

24 RON MANSKE: Okay. Thank you.

25 DAVID MITCHELL: I have a question -- few

1 questions.

2 Q. (BY DAVID MITCHELL) What's the current
3 balance on your mortgage?

4 A. I think 90,700.

5 Q. Close enough. Thank you. And in your
6 application, you've asked the house not be demolished
7 for 90 days?

8 A. Well, that was Ms. Brzeczek. She really
9 wasn't sure what -- you know, we've never been down
10 this road before. You know, from what Pam said,
11 neither have you guys.

12 Hasn't been a house, quote, unquote,
13 scheduled for demolition in 15 years. That's why, you
14 know . . .

15 Q. How long do you think it would take --

16 A. It all depends.

17 Q. Let me finish the question. We're going to
18 get some testimony from the City staff as to what needs
19 to be done.

20 A. Right.

21 Q. And maybe I'll ask this question. I'm going
22 to ask it now rather than later. Guessing what needs
23 to be done, from the City's standpoint, from codes and
24 so on, and understanding that you have some assistance
25 coming from some places --

1 A. Right.

2 Q. -- how much time do you think it would take
3 to get the house habitable, out of the City keeping an
4 eye on you for various violations?

5 A. That would depend on how fast the LEAP
6 process goes. And I don't have any control on that. I
7 don't really know how long that takes.

8 Now, if they're going to do the furnace, you
9 know, next week, then the water is just calling this
10 lad and having him come out.

11 And he even -- you know, once he heard the
12 story -- most people, I tell them this story of this
13 stuff that's going on, and they just wagged their head
14 and said, What? They're going to tear down your house?
15 What's wrong with your house?

16 I says, Nothing. I've got some issues with
17 the siding. But, you know, that goes all the way back
18 to the builder. I mean, that siding was under a class
19 action lawsuit in court.

20 According to Joe Braden, a lot of the people
21 that lived there then got free siding because the
22 siding was so crappy. And a number of people in the
23 Windermere Circle got a little paranoid with the City
24 coming in, and they re-sided their houses this summer.

25 You know, one guy after that actually sat

1 down and talked to me about it. He said, Your house is
2 no worse than the people that live next door to me.
3 And, you know, there's nothing I could say. It doesn't
4 make me feel good because the siding is crappy, period.

5 You know, I was told that, you know, supposed
6 to be curb appeal. That's why we put lipstick on the
7 pig. So my guess, you know, outside that, it all
8 depends on, you know, if Community Development can
9 figure out if they're going to actually give me a grant
10 for the siding, then we can go forward.

11 I don't have any -- I know the people around
12 the corner, it took a professional crew a month to do
13 the siding. We have from Carol Brzeczek that it took
14 them months to do an unprofessional on that house at
15 7839.

16 There was another couple that lives couple of
17 doors down, and they did theirs themselves. It took
18 them over a month between the two of them. Just taking
19 out -- they didn't re-side their whole house, but they,
20 you know, took out bad spots, just like I do.

21 They took out whole boards. They didn't try
22 cutting it out. You know, and in that regard, I also
23 was searching and reaching out how to go about, you
24 know, a grant.

25 And I talked with a guy who was empathetic

1 because his sister's going through the same thing in
2 the city of Denver. He's reached out to the City. He
3 has not been able to get a resolution, maybe.

4 Right now, I know he's -- under the federal
5 program. He's not working. So the only real thing,
6 other than, you know, depending on, actually, what LEAP
7 replaces, you know, may -- may be coming in and
8 replacing all the windows too.

9 I don't have -- I don't have a schedule. I
10 don't have a safe zone until we do an energy audit, is
11 what they call it. But in order for that to be done,
12 the furnace is the first thing.

13 And I don't really know how long that's going
14 to take to get the furnace done. The water will be --

15 Q. Excuse me. Is it a week? A month? Ten
16 months? Ten years? What?

17 A. I -- I'm thinking five months.

18 Q. Five months, not for the furnace but for
19 everything? Is that . . .

20 A. I wouldn't even say that much. But I would
21 give myself leeway. Five months.

22 Q. And it's going to take some money. We don't
23 know how much. But do you have some kind of . . .

24 A. Plan?

25 Q. A range between this and this?

1 A. No, because, you know, I had applied for a
2 HUD loan or a HUD grant. Unfortunately, I didn't see
3 that the expiration date -- I made it, like,
4 October 1st. And the expiration date was something
5 like September 19th. So I was, what, ten days late,
6 something like that.

7 Q. And you think that, let's say, five months is
8 a good amount of time?

9 A. Yes. I agree.

10 Q. That can only happen if you have some
11 financing, if you have either grants, financing,
12 whatever?

13 A. Right.

14 Q. Where do you think the money will come from
15 to do those things that won't be provided by the LEAP
16 program or such?

17 A. Unfortunately, I'm an old fart, and come
18 March, I'm applying for Social Security, which will
19 more than cover my mortgage and give me several hundred
20 a month to put into the house.

21 Q. Okay. And if you had several hundred dollars
22 a month -- well, several hundred dollars a month times
23 five months, in your estimation, would that pay for the
24 things that aren't going to be paid for through a
25 grant?

1 A. Well, I don't know what exactly -- until they
2 come out and do -- I don't know what they're going
3 to -- it's like anything with government. You don't
4 know what they're going to actually provide for until
5 it happens.

6 Q. The problem that this City faces, you've --
7 you're appealing this, and we would like you to be --
8 if it makes sense, after all the testimony, if it makes
9 some sense to let you correct some of these things,
10 there has to be -- it needs to be a reasonable chance
11 we're going to be successful.

12 A. Yeah. I agree. We haven't gotten any kind
13 of estimates on the remaining work, you know.

14 Q. Can you provide a list of all of the work?
15 And we're going to, of course, get confirmation from
16 the City -- a list of what needs to be done and then
17 get some help putting an amount to those, to that list?

18 A. I believe so. So, you know, because what
19 needs to be done, besides -- okay. If the furnace gets
20 replaced and the water heater gets replaced, and we get
21 a water heater in, that's a couple of hundred bucks,
22 from my understanding.

23 Then what are we even dealing with, other
24 than the siding and some of the fascia?

25 Q. Why don't I stop the questioning for a

1 moment. And it's going to be some time for the City to
2 testify. And maybe, during that time, you can take and
3 make a list.

4 A. Okay.

5 Q. And then let's see how that compares to what
6 the City believes.

7 A. Okay.

8 Q. And we'll see if we can come to some kind of
9 an amount.

10 A. Because -- well, she didn't put it in there,
11 but when Ms. Birch, you know, researched what the
12 appeal process was, I told her, Well -- because the
13 City offered mediation. And I told her, We will -- we
14 were willing to go to the mediation.

15 She did not -- I guess she didn't find a spot
16 in the appeal paperwork for that.

17 Q. And I have another question. Given that
18 neighbors are whole range of personalities, some are
19 extremely tolerant and some are not --

20 A. Yes.

21 Q. -- the City certainly is -- in my experience,
22 doesn't respond to the neighbor that's not tolerant,
23 but the City does have an obligation -- I feel they do,
24 to -- to have a neighborhood where the homes are of
25 like care, et cetera.

1 Do you believe that your house today,
2 exterior wise, would be acceptable to most of the
3 neighbors, the code violation -- the code people? Is
4 it now at least not an eyesore, to what we call the
5 reasonable neighborhood?

6 A. Good question. Now, it all depends. Are we
7 talking curb appeal, or we talking about in, you
8 know -- and this was one of the issues brought up by a
9 friend of the HUD guy.

10 He was a building inspector in Chicago, so he
11 has no authority, no say in what was going on. But he
12 came out and looked at the house. And where everybody
13 else was saying -- well, not everyone; let me clarify.

14 Several people were saying, Just cut out the
15 old stuff and put in the new. He looked at the
16 overall, and he said, You know, you'd be better just
17 re-siding the whole damn house.

18 And he was -- and he was non-partisan, you
19 know, unbiased. And he said, There's no reason to tear
20 this house down. But he doesn't have --

21 Q. Okay. So -- so you believe the siding is one
22 issue that needs to be dealt with?

23 A. Absolutely.

24 Q. Are there other things that don't fit the
25 character of the neighborhood, as far as --

1 A. No.

2 Q. -- landscaping or sidewalks or whatever?

3 A. No.

4 Q. Okay. So --

5 A. And it looks just like --

6 Q. -- you believe -- you believe it's siding?

7 A. I believe siding is 90 percent of it.

8 DAVID MITCHELL: Okay. I'm not going to ask
9 another question. Maybe start working on the list.
10 Let's hear some more testimony. And then -- go ahead.

11 Q. (BY RON MANSKE) I think one of the primary
12 concerns here is the health and welfare of not only you
13 in that property, but guests in your home and your
14 neighbors as well.

15 And in my own professional experience, I've
16 witnessed properties that have caused harm to
17 neighbors, not just visually, as in it doesn't look
18 nice, but contractive illness and disease and whatnot.

19 I'm not saying your property is at that
20 point. But I think health and welfare is a primary
21 concern here. And that's at the heart of, I believe,
22 the building codes that the City has adopted.

23 And the means that the City has for verifying
24 things that -- you know, health, welfare, basically
25 code compliance in these situations is those

1 inspections -- permits and inspections.

2 So it's a -- it means that you can apply to
3 the City and say, This is what I intend to do, and then
4 they have an opportunity to make sure it complies with
5 their codes. And so that's what -- to kind of set the
6 stage for some of the questions I'd like to just ask
7 you about.

8 A. Okay.

9 Q. I'm curious about, in 2012, you mentioned a
10 HUD loan, and somebody at the City didn't do their job
11 with a \$5,000 loan. What would that --

12 A. Well, a HUD grant.

13 Q. HUD grant?

14 A. HUD grant.

15 Q. Okay. And what would that grant have funded?
16 Was that before the property was identified by the City
17 as --

18 A. It was after. And the City got all upset
19 because, you know, they didn't even know their own
20 rules. In order for me to go to the Littleton Housing
21 Authority, I needed my summons. And I'm not home very
22 much.

23 I don't know what -- the City's going to get
24 to that testimony. It took them over a year to serve
25 my last summons.

1 Q. Can I just ask, the grant, did you apply for
2 this grant after the City had identified --

3 A. Yes.

4 Q. -- an issue with your home --

5 A. Yes, because -- no. Yes, because until I had
6 the summons, I wasn't eligible for the grant until --
7 because we have been down this road before. Couple of
8 years -- I'm not sure the date. Maybe 2009.

9 Q. Okay.

10 A. And, you know, the -- the grouchy neighbor --
11 we'll just leave it at that -- complained. And the
12 City came out and gave me a code violation, you know,
13 for paint. I hadn't painted the house since -- well,
14 2000. It got painted just before I bought it.

15 Q. Okay.

16 A. And Kimberly with the Housing Authority said,
17 Instead of giving you a handout, we're -- I think we
18 can give you a hand up and get you on as one of our
19 custodial people, or you can take the \$5,000.

20 And so I said, I'll go for the job. And the
21 job never came through. But the house was brought back
22 up to, quote, unquote, satisfaction of the City.

23 Q. Okay. So it was a complaint that led to the
24 summons, and then you applied for a grant, and you were
25 able to get the grant. And it sounds like things

1 started to snowball from there. Would that just be a
2 fair summary?

3 A. Yeah.

4 Q. Okay. Do you have a homeowners association
5 in your neighborhood, and is --

6 A. Absolutely not. I wouldn't live there.
7 That's why I don't live in Highlands Ranch.

8 Q. Okay. You mentioned having a PE look at your
9 plumbing. Do you have documentation, like, a stamped
10 letter or anything that he --

11 A. I don't have one. I can get you one.

12 Q. Just asking.

13 A. Okay. I'm just saying. This was a -- this
14 was sort of an in-kind favor from -- favor to a friend
15 type gig.

16 Q. Sure. Understand. And similarly, you've
17 mentioned this LEAP program, that they might replace
18 the furnace for free, that there's -- sounds like
19 there's a fair number of remedies available to you.

20 And you didn't bring documentation of that,
21 saying that these are the things we can do or would do
22 for this property, I assume.

23 A. The only thing I have with me is talking
24 about my LEAP application, the weatherization. And
25 then they said there's -- you know, you might be

1 eligible for food. But, no, none of the stuff from
2 CIP -- whatever CIP Emergency is; it's all on the
3 phone.

4 Q. Okay. You know, if -- you know, if this
5 continues or something to another hearing or
6 something -- but that kind of -- these kinds of
7 documentations I'm asking you about are -- would be
8 good for you to gather.

9 There was another one. 7839 South
10 Windermere. You mentioned Carol Brzeczek. Was that
11 her name?

12 A. I think so. And I don't know how to spell
13 it. B-r-y-z-z-e-k or something to that effect.

14 Q. And so you spoke with her about 7839 South
15 Windermere?

16 A. By accident.

17 Q. Did you speak with the owners or the folks
18 that were --

19 A. No, because no one ever sees them. There's
20 another unfriendly neighbor. And she's the one that
21 keeps turning them into the City Code, and City Code is
22 there on a regular basis.

23 But I don't -- I'd be very interested to find
24 out if they invoked a search warrant on her property.

25 Q. Sure.

1 A. Or if it just was my property. But they've
2 had the same kind of issue for almost the same amount
3 of time. Since I haven't been able to work and
4 maintain my property in a . . .

5 Q. Okay. So -- and I understand. So I
6 understand you've given evidence for what you feel is a
7 similar situation. I think the Board really doesn't
8 have, sort of, firsthand testimony or witness from the
9 owners of that property to -- you know, to compare
10 apples to apples, if you will.

11 A. Well, that's why I brought the pictures, at
12 least.

13 Q. Yeah. Yeah. And perhaps, you know, again,
14 if this is a -- if this does continue, having them as
15 witness to inquire about their situation, similarities
16 to this might -- may or may not be relevant.

17 The -- you mentioned having gone to the City
18 and asked if -- I think if there was some funding
19 available to help repair the property.

20 A. Not the -- another church group.

21 Q. Okay.

22 A. And I have approximate dates. They --

23 Q. Sure.

24 A. -- it was May 31st of last year that they
25 first contacted Ms. Thompson.

1 Q. No, I believe that happened. I was just
2 curious if you know which department of the City, or
3 was that -- because my --

4 A. No. They talked with Rebecca Thompson.
5 That's part of the Community Development.

6 Q. Okay. Rebecca Thompson. And this is the
7 individual that said -- you said something to the
8 effect of, He's cost us too much money as it is?

9 A. Yeah.

10 Q. And is her department, do you know or are you
11 aware, is that the department that would assist with
12 such funds? I mean, was your understanding she's the
13 person to ask for this?

14 A. Yes.

15 Q. Okay.

16 A. It's the same person that offered funds in
17 2014 for my house that never showed up.

18 Q. Okay. And then, you know, all these are just
19 clarifying questions to try to really understand your
20 position on this.

21 A. Yes.

22 Q. The -- the -- from what I've been able to
23 tell from the timeline here, an inspection was done on
24 August 1st, and that's really what got the ball rolling
25 with, kind of, the 90-day period; is that correct?

1 A. No. No. I don't believe -- I don't believe
2 that's correct. But you'll hear from the City, and
3 they might be able to clarify your question.

4 Q. Well, just, the inspection report --

5 A. Because originally -- originally, they said,
6 Fix the house by -- I believe -- I just dumped the
7 papers. I believe the City originally said, You got
8 60 days to fix it from the time we looked at it.

9 Even though I didn't get the message until
10 late June, early July.

11 Q. Okay.

12 A. Because they think that -- they've been told
13 that the post office doesn't deliver my mail because
14 I'm a disgruntled postal person. So they stopped
15 delivering my mail fall of 2009.

16 By February 2010, I've received no more mail,
17 and that any correspondence needed to go UPS or FedEx
18 letter. And the City says, No, this is what all our
19 requirements is to try to contact you by U.S. mail,
20 U.S. post.

21 Well, when the post office isn't delivering
22 your mail to your house, people say, Just go get a
23 P.O. box. I'll be goddamned if I'm going to buy a
24 P.O. box when they just decided that they can stop
25 delivering my mail.

1 Q. Yeah. And what I'm really interested in is
2 this period between August 1st and November 1st, in
3 which it -- and I'll have an opportunity to ask the
4 City -- but it appeared there was a 90-day period in
5 which you had an opportunity to correct some things.

6 What I'm really interested in, though, is,
7 you know, were these sort of grassroots efforts to do
8 things, or were they done with the, sort of, knowledge
9 or approval of the City -- you know, when you're
10 talking about things like electrical, plumbing,
11 perhaps -- I don't know -- perhaps mold abatements, you
12 know, these are things that typically would require a
13 building permit and inspection. Did you --

14 A. They didn't because I've been to a class on
15 that. Matter of fact, I've talked to instructors.
16 And, you know, we had a guy come in and actually do an
17 estimate. The church paid for the estimate from this
18 company.

19 And the City -- the State of Colorado,
20 there's almost nothing that's -- you know, you can go
21 marry somebody if you want in this state. You don't
22 need a license.

23 So if you -- you know, there's a lot of
24 things. You don't have to be licensed to be a
25 psychotherapist. You don't have to be licensed for a

1 lot of things.

2 Q. Understood. But there -- there were not
3 permits pulled for any work performed during -- because
4 it looks like, to me, from the pictures you showed,
5 there was -- there probably was a lot of work
6 performed, and that's great, but it doesn't sound like
7 it's been inspected yet or approved.

8 A. Well, the -- that's one of the interesting
9 things I was wondering about because, you know, with
10 that fire up on Datura, you know, they talked about the
11 air quality, and I'm wondering if the City has air
12 quality tests that say, This place is clean, or, This
13 place is still polluted.

14 Because, you know, all those 115 residents up
15 on Windermere East, or whatever it's called, are now
16 displaced.

17 STEPHEN KEMP: Mr. Chairman, I object to
18 other testimony about some other fire at some other
19 place. The Board's given wide discretion to admit
20 testimony, but there's no relevance whatsoever between
21 a fire on Datura involving Windermere Apartments and
22 this property, nothing.

23 DAVID MITCHELL: I think it's okay.

24 Q. (BY RON MANSKE) Yeah. And I'm sorry. I had
25 one more. Bear with me. I can't find it all. Oh,

1 okay. Matt George, I believe, mentioned some investors
2 perhaps being interested in this property; is that
3 true? Can you talk a little bit about that?

4 A. I had some people come up to me and offer --
5 the people Matt George -- because Matt George, back,
6 maybe August, maybe August 1st, he said, If we get
7 someone to offer you \$200,000 for this, will you take
8 it? And I said, Go to hell.

9 I said, The government has taken everything
10 I've got. This is the last thing. This is the last
11 stand. This is do or die, literally, because I got
12 nothing else.

13 Q. Okay.

14 A. I've lost -- I've lost my ability to earn a
15 reasonable living. I -- you know . . .

16 Q. Okay. So any efforts made to repair the
17 property would be of your own --

18 A. Doing, and --

19 Q. -- doing, and not with investors or
20 guarantors or anything like that?

21 A. No.

22 RON MANSKE: Okay. That's all my questions.
23 Thank you.

24 DAVID MITCHELL: Anybody else? I have
25 another question, then. Oh, sorry. Go ahead.

1 Q. (BY MATT TREINEN) Just one, kind of,
2 follow-up question on health and welfare of the house
3 and regarding the mold abatement. Have you had any
4 testing after all of the abatement to see if the mold
5 has been abated?

6 A. No. Until I'm living in my house, I'm not
7 going -- that's -- that's a future step.

8 Q. Okay.

9 A. We have -- you know, I've done the research.
10 There's the five top mold people, you know, that do a
11 mold test. They take a sample inside, outside,
12 upstairs, because they -- if you're outside, mold is
13 something -- I'm not sure what the figure is. I know
14 it's about a thousand.

15 So say your outside mold is a hundred, and
16 your inside mold can go up to 800 and still be
17 considered safe.

18 Q. I think just the fact that you see it as a
19 future step --

20 A. Yeah. Because, you know, I don't want to
21 live down -- you know, and, you know, here's a basement
22 that's finished, and it's only been used once in --
23 well, at that time, 13 years, other than storage.

24 Q. Is it your intent to fix the house and sell
25 it, or is it your intent to fix the house and live in

1 it?

2 A. It's my intent to fix the house and live in
3 it because I can't even start to think about finding an
4 apartment for a thousand dollars a month.

5 DAVID MITCHELL: Okay. Thanks.

6 KEN FELLMAN: Just a procedural matter,
7 Mr. Chairman. Before the testimony of Mr. Lynch
8 concludes, Mr. Lynch, is it your intent to offer into
9 evidence in the hearing the photographs and the other
10 documents that you shared with the Board on the
11 projector?

12 DAVE LYNCH: It is.

13 KEN FELLMAN: If you could hand those to the
14 clerk, she'll mark them. And then, Mr. Chairman, you
15 need to make a determination that those exhibits will
16 be accepted into the record.

17 (Mr. Lynch turned in exhibits.)

18 DAVID MITCHELL: Unless there are any
19 objections.

20 STEPHEN KEMP: I have no objections,
21 Mr. Chairman.

22 DAVID MITCHELL: We will accept that. Do you
23 have any more witnesses?

24 DAVE LYNCH: No.

25 DAVID MITCHELL: Okay. I think what we'll do

1 is --

2 DAVE LYNCH: We may have a rebuttal witness,
3 depending on what the City says, from what I
4 understand.

5 DAVID MITCHELL: Okay. Thank you. Before
6 the City starts, I think we'll take a 10-minute break
7 and then have the City present its case.

8 (Break from 8:34 p.m. to 8:48 p.m.)

9 DAVID MITCHELL: Okay. Back to order. It's
10 the City's turn.

11 STEPHEN KEMP: Thank you, Mr. Chairman. The
12 City would call Rebecca Thompson.

13 REBECCA THOMPSON: Good evening.

14 REBECCA THOMPSON
15 was called as a witness on behalf of the Respondent
16 and, having been sworn, was examined and testified as
17 follows:

18 DAVID MITCHELL: State your name for the
19 record.

20 REBECCA THOMPSON: Rebecca Thompson.

21 Q. (BY STEPHEN KEMP) And, Ms. Thompson, by whom
22 are you employed?

23 A. City of Littleton.

24 Q. And in what capacity are you employed?

25 A. I'm the Code Enforcement Supervisor.

1 Q. And can you generally describe your duties as
2 Code Enforcement Supervisor?

3 A. Yes. I'm sorry. I respond to complaints,
4 city code violations, and we conduct inspections and
5 then give correction notices and reports. And then we
6 confirm that the violation has been addressed or not by
7 the inspection.

8 Q. And how long have you been a Code Enforcement
9 Supervisor?

10 A. For over eight years.

11 Q. And do you have any particular certifications
12 regarding Code Enforcement?

13 A. I do. I have a Code Specialist
14 Certification, two levels of Code Enforcement
15 Certification, Zoning Certification.

16 Q. And in your capacity as a Code Enforcement
17 Supervisor, there were some pictures shown of a house
18 at 7839 South Windermere. Are you familiar with that
19 particular house?

20 A. Yes.

21 Q. And can you describe for the Board what the
22 circumstances were pertaining to that house?

23 A. We received complaints of the exterior in
24 poor condition, and we inspected, left notice, or
25 mailed out notice, and the owner contacted my office

1 and said she would do her best to bring the property in
2 compliance, but that she was terminally ill and was a
3 single person.

4 And I put her in touch with a volunteer group
5 that we were aware of. And the City had no other, you
6 know, involvement with that. We have an expectation
7 that the resident reached out to the voluntary group on
8 their own.

9 Q. And does the City give that volunteer group a
10 grant?

11 A. Excuse me?

12 Q. Did the City give that volunteer group a
13 grant for these types of --

14 A. Not in this situation. There have been
15 grants given when there's a substantial repair needed,
16 but in that situation there was no grant.

17 Q. Now, do you have knowledge of whether the
18 City gives individuals grants to make repairs on
19 houses?

20 A. No. It has to do -- the grants that were
21 available were to make improvements to a neighborhood,
22 say. Maybe to a structure in a park that everyone
23 uses.

24 So it would have to -- the grants that were
25 available had to benefit the entire neighborhood.

1 Q. So now, shifting over to the property in
2 question, the 7874 South Windermere Circle, are there
3 any grants from the City -- "City" meaning all of its
4 departments -- are there any grants from the City for
5 the replacement or repair of the siding?

6 A. No, not that I'm aware of.

7 Q. And would you be the function that those
8 grants would normally be addressed by?

9 A. I can refer people, but they would not come
10 through my office.

11 Q. Okay. And are you aware of any City grants
12 to an individual for repairs to the inside of the
13 premises, such as the drywall, the flooring, any of the
14 electrical, or plumbing?

15 A. No.

16 Q. And now, in terms of the Housing Authority,
17 the City doesn't operate its own housing authority,
18 does it.

19 A. No. They are a separate entity.

20 Q. And that would be South Metro Housing
21 Options?

22 A. True.

23 Q. And the City would have nothing to do with
24 any grants that are awarded or provided by the South
25 Metro Housing Options?

1 A. No.

2 Q. Okay. Now, next, moving back to this
3 property at 7874 South Windermere Circle -- I'm just
4 going to call it the subject property, so that's the
5 property I mean -- when did you first become aware of
6 this property, and how did you become aware about it?

7 A. Well, for this particular case, in 2012, I
8 received notification from a police officer that she
9 had issued a summons, that we had asked the police
10 department to issue it.

11 It had taken over a year to locate Mr. Lynch.
12 And she notified me that they had, indeed, served a
13 summons, and they had also arrested him on unrelated
14 charges.

15 And she knew that there was a dog that was in
16 the house, and she said that -- she had offered to
17 contact someone to take care of the dog, but Mr. Lynch
18 had refused, and she was concerned about the dog's
19 condition.

20 So we were able to get a writ of entry search
21 warrant to go in and inspect.

22 Q. And did you actually go into the house?

23 A. We did.

24 Q. And when you entered the house, pursuant to
25 the warrant, did you have occasion to take photos of

1 the premises?

2 A. We did.

3 Q. And those photos were taken in the ordinary
4 course of performing your duties as a Code Enforcement
5 Supervisor?

6 A. Yes, they were.

7 Q. And those photos are part of the official
8 records that you keep on this property?

9 A. Yes.

10 Q. I would ask you -- that you look at Exhibit
11 Number 1. This is part of the packets that I provided
12 to Mr. Lynch and each of the Board Members.

13 This is Item Number 1. And take as much time
14 as you need to look at these photos, and then I'm going
15 to ask you some questions about them.

16 A. Okay. (Reviewing documents.)

17 Q. Let me know when you're ready.

18 DAVID MITCHELL: Do you have a date on these
19 photos?

20 REBECCA THOMPSON: They should be dated at
21 the top, April 16th, 2012.

22 Q. (BY STEPHEN KEMP) The first item, Number 1.

23 A. I'm at 1 in your index.

24 Q. Did you do an inspection on the property at
25 that time?

1 A. There were several of us taking photos. So
2 some of them were taken by myself and some of them by
3 other inspectors.

4 Q. And -- but they were all in your custody as
5 the Code --

6 A. Yes.

7 Q. -- Enforcement Supervisor? And do these
8 photos represent the condition of the property that you
9 found on that day?

10 A. They do.

11 Q. And can you describe to the Board what you
12 found at that point in time, back in April of 2012.

13 A. Well, the property was in an extreme state of
14 unsanitary condition. The biohazards that we referred
15 to has to do with a large accumulation of dog feces and
16 urine.

17 And it was -- the ammonia from the urine was
18 so extreme that, on the Notice and Order that we posted
19 on the door -- there's a photo of it -- we did require
20 that entry had to be made wearing PPE, which is
21 protective personal equipment.

22 DAVID MITCHELL: I'm having trouble hearing.
23 I'm sorry. You're talking to him, and I'm over here.

24 STEPHEN KEMP: Talk to them.

25 REBECCA THOMPSON: Do you want me to repeat

1 all of it?

2 DAVID MITCHELL: No. The dog waste. I'm --
3 start at the dog waste.

4 REBECCA THOMPSON: So we found a heavy
5 accumulation of dog feces and urine. And the odors
6 were so extreme. Ammonia was so strong that, on our
7 posting, there was a warning to not enter without
8 protective gear.

9 DAVID MITCHELL: Thank you.

10 Q. (BY STEPHEN KEMP) Ms. Thompson, what else
11 did you find in the premises as a result of that
12 inspection?

13 A. We found unsafe conditions, as far as the
14 entry to the front door, and the rear, that -- that
15 was -- and the rear was in an extreme state of
16 disrepair and unstable.

17 And we found what looked like there was water
18 intrusion in the main living room. There was water
19 damage on the ceiling, and the exterior of the building
20 had severe water damage. And most of the fascia and
21 soffits were rotted, unprotected.

22 Q. And was the house -- at that point in time,
23 did Mr. Lynch reside in the house?

24 A. As far as we know, he did, yes.

25 Q. And so as a result -- and was your inspection

1 documented in all these pictures that are contained in
2 Number 1, Exhibit Number 1?

3 A. Yes.

4 Q. Now, as a result of that inspection, did you
5 take any action regarding the inspection?

6 A. We did. We issued a Notice of Order of
7 Correction.

8 Q. And do you have any knowledge as to whether
9 the corrections were made?

10 A. They were not.

11 Q. How do you determine that the corrections are
12 or are not made?

13 A. We reinspect the property.

14 Q. Did you have the occasion to reinspect this
15 particular property?

16 A. We did.

17 Q. And I'm now going to ask you to look at the
18 photos that are contained in what's been marked as
19 Exhibit Number 2.

20 A. Okay.

21 STEPHEN KEMP: And, again, take as much time
22 as you need. Again, those have been issued in the
23 packet that you have. And they are marked as Number 2.

24 RON MANSKE: There's a lot of photos. If
25 there's a specific one, could we put it on the screen,

1 maybe?

2 STEPHEN KEMP: We can have her walk through
3 each one. The purpose of the photos -- I am going to
4 be moving them into evidence at the end, but
5 Ms. Thompson is going to testify as to the conditions,
6 why they were taken, and the background and the photos.
7 If you want them on the screen --

8 RON MANSKE: I thought maybe there was just
9 one that you were particularly concerned about. You're
10 talking about the group?

11 STEPHEN KEMP: I'm talking about the whole
12 group.

13 DAVID MITCHELL: Number 2, when you say --
14 what would be the . . .

15 REBECCA THOMPSON: Each one has a page
16 number.

17 DAVID MITCHELL: 212 through 218?

18 REBECCA THOMPSON: Yes.

19 DAVID MITCHELL: Thank you.

20 Q. (BY STEPHEN KEMP) Ms. Thompson --

21 KEN FELLMAN: I'm sorry. Counselor, I just
22 want to make sure the Board gets to Number 2 before you
23 continue. They're not tabbed, so it's -- this is about
24 as many photos as Exhibit 1.

25 There's a white sheet that says Exhibit 2

1 when you get done with this. So maybe a third of an
2 inch. The first photo, under "date," is dated
3 April 29th, 2013.

4 REBECCA THOMPSON: And, Board, if the photos
5 have a date in the bottom right-hand corner, they won't
6 have a date up at the top.

7 DAVID MITCHELL: Thanks.

8 Q. (BY STEPHEN KEMP) So, Ms. Thompson, I now am
9 showing you what has been marked as Exhibit Number 2.
10 And I want you to start with the first photo. And is
11 this dated April 29th, 2015 (sic)?

12 A. Yes.

13 Q. And is that photo taken as part of an
14 inspection that you did of the property, or
15 reinspection, to see if compliance had occurred?

16 A. Reinspection.

17 Q. And, again, these photos are taken in the
18 ordinary course of performing your official duties?

19 A. Yes.

20 Q. And they're to document the actual
21 inspection?

22 A. Yes.

23 Q. And they're maintained in your files as part
24 of the file and official record taken of this property?

25 A. Yes.

1 Q. And this first photo, is that the rear of the
2 house?

3 A. Yes, it is.

4 Q. And then I'd like you to move on to the
5 second photo. Is that also in the rear yard?

6 A. Yes.

7 Q. And then the third photo, is that inside the
8 house?

9 A. That's outside the back patio.

10 Q. Outside? Okay. And the fourth photo?

11 A. Yes.

12 Q. And the fifth photo?

13 A. The fifth photo is the front entry at the
14 porch, the covered porch.

15 Q. Okay. And what is the -- and then, looking
16 at the next photo, which I believe would be the entry
17 as well?

18 A. Yes.

19 Q. What is your concern as the Code Enforcement
20 Supervisor about this particular premises from this
21 photo?

22 A. Well, the concern here is that there could be
23 a collapse of this structure that's overhanging the
24 entryway because the structural members are so decayed,
25 and the roof that, you know, has water damage and the

1 siding next to it that -- you know, there's definitely
2 a safety concern hazard.

3 Q. And I want you to proceed to the next photo.
4 And can you describe the code issues that you see in
5 the next photo?

6 A. Similar. It's the exterior trim that --
7 there's a large hole in the corner because of the water
8 damage. And the wood's rotted.

9 Q. And then I want you to move to the next
10 photo. And this apparently appears to be dated
11 April 30th, 2013.

12 A. Yes.

13 Q. Was that part of this inspection or a
14 subsequent reinspection?

15 A. I think it was a subsequent inspection. Same
16 month, different day.

17 Q. And can you describe your concerns regarding
18 the condition of the premises in this photo?

19 A. Well, in this photo there's a police officer.
20 We were called to the property of a report that
21 someone's maybe living in the property. And so we were
22 there to inspect.

23 And it looks like the screen door was pulled
24 off. But, again, there's no improvement in the
25 property. It's still cluttered and in disrepair.

1 Q. And then I would refer your attention to the
2 next two photos, what's been marked as the City's
3 Exhibit Number 2. Are these the postings of the
4 notices on the property?

5 A. Yes. The first one is dated April 30th, and
6 that posting is so the City can abate, cut the weeds,
7 clean up all the rubbish on the exterior.

8 Q. Yes. And then the second posting?

9 A. That shows the posting on the front door,
10 just showing that they were still there. And,
11 actually, at this point, we had put a notice on the
12 fence there for people to contact Code Enforcement and
13 the police department for information or entry.

14 Q. Now, Ms. Thompson, I want you to look at the
15 next photo as part of this exhibit. It appears to be
16 dated June 8th, 2015.

17 A. Yes.

18 Q. Was this photo, again, the result of a
19 subsequent reinspection?

20 A. Yes.

21 Q. And, again, did you take these photos of the
22 June 8, 2015, reinspection as part of your official
23 duties?

24 A. I did.

25 Q. And were they also maintained as part of your

1 official file?

2 A. Yes.

3 Q. And were these photos taken for the purpose
4 of recording that inspection?

5 A. Yes.

6 Q. And the first photo, which shows the
7 7874 South Windermere Circle plaque, what is your
8 concern regarding the condition of the premises in that
9 photo?

10 A. Well, similar to the previous photos, there's
11 water damage to the siding and the wood trim.

12 Q. And then I would refer you to the next two
13 photos, which look to be the entrance into the
14 property. What is your concern regarding those photos?

15 A. Again, similar to the previous photos, two
16 years, except that the condition is worse, that it
17 looks like the porch -- the cover is in worse condition
18 and slanted at this point. It's sloping more than it
19 had been.

20 Q. And then I'd like you refer to the next
21 photo, dated June 8th. What is your concern regarding
22 that?

23 A. The exposed wires to be an electrical hazard.

24 Q. And then, Ms. Thompson, the next photo, dated
25 June 8th, 2015. And can you describe to the Board your

1 concerns regarding the premises in that photo?

2 A. And similar to the previous, this is looking
3 up the wall, the exterior wall at the front door. And
4 there's water intrusion, water damage to the siding.

5 And the concern is that there could be water
6 intrusion in the building envelope. So the area
7 between the siding and the interior of the building.

8 Q. And, Ms. Thompson, I've asked that you look
9 at the next photo. And, again, describe your concerns,
10 please.

11 A. Again, same condition. Just worse than the
12 April 2013. There's more water damage in the siding.
13 And then, in this photo, one of the soffits is
14 completely fallen off. And that black area there is,
15 you know, just exposed to the weather.

16 Q. And then the next -- final three photos are
17 all of June 8th, 2015. And can you look at each of
18 those photos and describe to the Board your concern
19 regarding the premises.

20 A. Similar to the other photo that we just
21 talked about, the siding is damaged, and there's
22 missing soffits and fascia board that are allowing
23 water intrusion.

24 Q. Now, Ms. Thompson, between April 2012, when
25 you first became aware of this property, and June of

1 2015, had there been any attempt that you're aware of
2 to bring the property into compliance with the Property
3 Maintenance Code?

4 A. No.

5 Q. Had anyone approached you regarding coming
6 into the property or hiring a contractor to bring the
7 property into compliance with the Property Maintenance
8 Code?

9 A. No.

10 Q. And had you received any response regarding
11 the Notice of Corrections you'd issued to bring the
12 property into compliance with the Property Maintenance
13 Code?

14 A. No. None.

15 Q. And so as a result of that reinspection, the
16 next photos that's in this exhibit all pertain to a
17 reinspection that would appear to have been done on
18 June 9th, 2017?

19 A. Yes.

20 Q. Do you recall doing that reinspection?

21 A. Yes.

22 Q. And, again, each of those photos marked,
23 June 9th, 2017, you took in the ordinary course of
24 performing your duties as a Code Enforcement
25 Supervisor?

1 A. Yes.

2 Q. And they were to document your inspection?

3 A. Yes.

4 Q. And they're part of the official record in
5 the file?

6 A. Yes.

7 Q. And you maintain these in the ordinary course
8 of performing your duties?

9 A. I do.

10 Q. Okay. And I'd like you to describe the first
11 photo, which appears to be a notice on the property.

12 A. This is similar to the previous notice. This
13 gives the City the authority to cut the weeds and clean
14 up any rubbish on the property.

15 Q. And then the next photo, which is of the
16 front of this property, can you describe what your
17 concerns would be regarding the outside of the property
18 from this photo?

19 A. Well, the building is in the same dilapidated
20 condition. But in this photo, it's showing the tall
21 grass and weeds.

22 Q. And then I would like you to look at the next
23 photo. And what are your concerns?

24 A. Similar. It's just a different angle, but
25 it's showing the front entrance and the damaged

1 building materials.

2 Q. And then the last photo, date June 9th, 2017.

3 A. And it's similar. It's just showing, again,
4 from a different angle.

5 Q. Now, Ms. Thompson, between 2015 and 2017, had
6 there been any request of Code Enforcement to enter the
7 property to make repairs?

8 A. By the owner, no. No.

9 Q. Were you approached by any contractors or any
10 agents on behalf of the owner to enter the property and
11 make repairs?

12 A. Not before we gave the first notice, prior to
13 June.

14 Q. And did any third party approach you
15 regarding wanting to purchase the property as a result
16 of these inspections?

17 A. I don't think as a result of the inspections.
18 I did receive a phone call from a neighbor, saying he
19 was a real estate agent and asking the status of the
20 property. That was it.

21 Q. And the property from 2012, all the way
22 through 2015, was in violation of the Property
23 Maintenance Code?

24 A. Yes.

25 Q. And now, the next group of photos as part of

1 the exhibit are dated June 1, 2016. And I would refer
2 your attention to those. Were those, again, taken as
3 part of your official duties as a Code Enforcement
4 Inspector?

5 A. Yes.

6 Q. And were they part of the official record
7 pertaining to this property?

8 A. Yes.

9 Q. And were they taken for the purpose of
10 documenting the inspection?

11 A. They were, yes.

12 Q. And the first photo shows the front of the
13 house and the front yard. Can you describe to the
14 Board your concerns regarding the conditions of that
15 property?

16 A. It's similar to the previous. You know,
17 we're concerned about the lack of maintenance, the
18 dilapidated condition of the siding, and the roof and
19 the front porch.

20 Q. And I would refer you to the next photo. Can
21 you describe what that is a pictures of?

22 A. Showing the -- there's two postings here.
23 They're both -- they're dated different dates. But
24 they're both to allow the City to enter to cut weeds,
25 repair fence in the back, and clean up any rubbish,

1 fallen limbs, things like that on the property.

2 Q. And I would refer you to the next photo,
3 which it appears to be the back yard.

4 A. Yes.

5 Q. And what is your concern with that?

6 A. Quite a bit of debris, lumber, and old wood.

7 Q. And then the next photo I'll refer you to.

8 A. It's a fallen fence.

9 Q. Now, at the time of the June inspection in
10 2018, had there been any attempt to correct the
11 conditions on the property?

12 A. No.

13 Q. And did you obtain any notice of an
14 application for a building permit to correct any of the
15 deficiencies from April 2012 through June 2018?

16 A. No.

17 Q. And were you contacted by any general
18 contractors regarding the possibility of coming into
19 the property and correcting the violations?

20 A. Not at that point.

21 Q. And were you contacted by any other agents of
22 the owner regarding the possibility of coming in and
23 correcting the violations?

24 A. Not at that time.

25 Q. And, now, in terms of making -- when you have

1 a Notice of Correction, you post it on the property?

2 A. Yes.

3 Q. And what other attempts do you make to serve
4 the owner?

5 A. We serve it regular and certified mail. And
6 in this case, when we became aware that Mr. Lynch was
7 associated with Centennial Covenant Church, we went to
8 the church and asked that they serve him with the
9 notices.

10 Q. Now, that's technically not required in
11 the --

12 A. No.

13 Q. -- International Property Maintenance Code?

14 A. No.

15 Q. That was an additional step that you took to
16 ensure Mr. Lynch received notice?

17 A. Yes.

18 Q. Now, I want to have you again look at what's
19 marked Exhibit Number 3. And this is an inspection
20 that was performed on May 21st, 2018, and June 1st, and
21 so I want you to take a couple of minutes and look at
22 these photos.

23 A. (Reviewing documents.) Okay.

24 Q. Now, again, were these photos taken as a
25 result of an inspection performed on May 21st, 2018?

1 A. Yes.

2 Q. And was that inspection performed in the
3 ordinary course of your duties?

4 A. Yes.

5 Q. And these photos were taken for the purpose
6 of documenting that inspection?

7 A. Yes.

8 Q. And they've been a continuous part of the
9 official record since you've taken them?

10 A. Yes.

11 Q. And you took those in your capacity as a Code
12 Enforcement Supervisor?

13 A. I did.

14 Q. And I'd like to refer you to the first photo.
15 Can you describe to the Board what that is?

16 A. This is a photo of the water heater and
17 furnace. It depicts that they're in disrepair and not
18 operable. Parts and copper have been removed.

19 And there's also debris, what looks like
20 drywall, on the ground around the appliances.

21 Q. And I'd like you to refer to the next photo.
22 Can you describe to the Board what this is?

23 A. It's a large amount of debris and household
24 items on the floor.

25 Q. And was this room passable?

1 A. No.

2 Q. I'd like to refer you to the next photo. And
3 can you describe to the Board what this is?

4 A. A large amount of clutter in a room. And all
5 the items are in disarray, laying around on the floor
6 and preventing passage in the room.

7 Q. And I'd like to have you look at the next
8 photo. And can you describe what this is?

9 A. This is a bathroom that is not usable because
10 of the clutter and the unsanitary conditions.

11 Q. Is the plumbing still there, or has the
12 plumbing been removed?

13 A. I believe it's still there. The faucet and
14 the handle in the tub.

15 Q. And I'd like you to look at the next photo
16 and describe to the Board what that is.

17 A. It's another room in similar condition,
18 unsanitary condition, and egress is compromised.

19 Q. And I'd like you to look at the next photo,
20 and describe to the Board what this is.

21 A. This is the garage. It's in similar
22 condition as the other photos, with a large amount of
23 debris and household items.

24 Q. And then, Ms. Thompson, I'd like you to take
25 a look at the next photo and describe to the Board what

1 this is.

2 A. This is the kitchen. Similar condition.
3 It's unsanitary with a large amount of items on the
4 ground and on the counters.

5 Q. And, Ms. Thompson, I'd like you to take a
6 look at the next photo and describe to the Board what
7 this is.

8 A. It's another angle of the kitchen, showing
9 that the stove's not usable because of all the items
10 stored on it. And there's rotting food.

11 Q. And none of that appears to have been
12 disposed of, placed in a garbage container?

13 A. Not at this time.

14 Q. And that would be required by the City code?

15 A. Yes.

16 Q. And, Ms. Thompson, I'd like you to take a
17 look at the next photo and describe to the Board what
18 this is.

19 A. This is the living room. And it's in similar
20 condition as the other rooms. Unsanitary.

21 Q. Is that room passable?

22 A. No.

23 Q. And, Ms. Thompson, I'd like you to take a
24 look at the next photo and describe to the Board what
25 this is.

1 A. This is an area that shows water damage and
2 the mold that has climbed up this drywall.

3 Q. And do you know if the owner has performed
4 any tests to identify whether that's black mold or what
5 needs to be done to correct it?

6 A. No, not that I'm aware of.

7 Q. And, Ms. Thompson, I'd like you to take a
8 look at the next photo and describe to the Board what
9 this is.

10 A. And this is the living room. And it's the
11 view with the fireplace, showing a large amount of
12 debris and household items. And it's not passable.

13 Q. And, Ms. Thompson, I'd like you to take a
14 look at the next photo and describe to the Board what
15 this is.

16 A. This is the upstairs bathroom. And it's not
17 useable because of unsanitary conditions.

18 Q. And, Ms. Thompson, I'd like you to take a
19 look at the next photo and describe to the Board what
20 this is.

21 A. And it's another view of the same bathroom,
22 just a close-up.

23 Q. Now, as a result of that inspection, did you
24 have occasion to issue a Notice and Order to the owner
25 of the property, Mr. Lynch?

1 A. We did.

2 Q. And what did that -- is that Notice and Order
3 part of this exhibit?

4 A. It is. It's the last two pages.

5 Q. And can you describe to the Board what the
6 Notice and Order was for?

7 A. Well, it was for violation of the Property
8 Maintenance Code. It was for the conditions being
9 unsafe and unsanitary and the house being unfit for
10 habitation.

11 Q. And was there a Correction Report attached to
12 that Notice and Order?

13 A. Yes.

14 Q. And I believe this is the same report that
15 Mr. Lynch had previously testified about.

16 A. This one was the first report that was
17 created at this May 21st inspection.

18 Q. Okay.

19 A. And the other report was another -- it was
20 the September 18th inspection, and it was basically
21 similar. There was no change at that time.

22 Q. Now, when you did the inspection on May 21st,
23 was there any of the city employees present with you?

24 A. Yes.

25 Q. Who were those individuals?

1 A. It was Chief Building Official Bill Tracy,
2 Inspector Supervisor Martin, and our electrical
3 inspector, Dan.

4 Q. Now, Ms. Thompson, you heard some testimony
5 earlier that -- about vandalism to this house. Was
6 that ever reported to Code Enforcement?

7 A. No.

8 Q. And if Code Enforcement was aware that the
9 house was being vandalized, would you have precluded an
10 appropriate representative from entering the house to
11 ensure that it could be secured?

12 A. Yes.

13 Q. You would have allowed it?

14 A. We would have allowed it to be secured, yes.

15 Q. And at any time, did Code Enforcement receive
16 a complaint that the house was being vandalized?

17 A. No. The only thing that we became aware of
18 was, in 2013, police received a report of trespass.
19 But as far as I know, there was -- I don't know of any
20 vandalism that was reported with that.

21 Q. Ms. Thompson, if the owner had decided to
22 secure the house by boarding it up to preclude entry,
23 you would have permitted that?

24 A. Yes.

25 Q. And was there ever an attempt by the owner to

1 ask the City to permit the house to be boarded up and
2 secured?

3 A. Not to our office.

4 Q. And would your office be -- the Building
5 Safety Department part of the office be where that
6 would be done?

7 A. Yes.

8 Q. Would you have -- would you be aware of if it
9 was done?

10 A. Yes.

11 Q. And as a result of this inspection, were
12 there any corrective actions to bring the property into
13 compliance with the Notice of Correction?

14 A. I don't believe so at this time. After this
15 Notice and Order, the City granted two extensions.
16 Between this May 21st inspection and a last inspection,
17 which was October 16th, two inspections were --
18 extensions were granted.

19 And there was some action taken between those
20 times. But with the extensions that were granted, it
21 was with the condition that the exterior would be
22 completed a hundred percent, and that never happened.

23 Q. And as -- as of May 21st, was the property
24 inhabitable?

25 A. No.

1 Q. And in your position as Code Enforcement
2 Supervisor, do you have an expertise in making a
3 determination as to whether a property is inhabitable?

4 A. Yes.

5 Q. And did you do that in the performance of
6 your official duties?

7 A. I did.

8 Q. At that point in time, this property would
9 not be inhabitable under the Property Maintenance Code?

10 A. It would not.

11 Q. And would it be unsafe to be -- to reside in
12 it?

13 A. No, it would not be safe.

14 Q. And why would it not be safe to reside in?

15 A. Well, with the unsanitary condition, there's
16 a risk of disease and infection. And it's to the
17 occupant and to any visitors.

18 We're also concerned about the water damage
19 and the mold. That's a health concern. Egress, with
20 the clutter and the large amount of accumulation,
21 getting out in a fire or other emergency would be
22 unsafe.

23 Q. Now, I want to refer to what is marked as
24 City Exhibit Number 4. I'd like you to take a look at
25 that.

1 A. (Reviewing documents.)

2 Q. Can you describe the first item? It appears
3 to be an email that was sent to you.

4 A. Yes.

5 Q. Can you describe to the Board what that is?

6 A. This is an email from a person named Dee
7 Getzinger, who said she was the power of attorney for
8 Mr. Lynch. And she requested an extension of time be
9 granted. And we did grant that.

10 Q. And is that something that you would normally
11 do with a property owner who -- in the case they
12 desired to meet the requirements of the Notice of
13 Correction?

14 A. Yes.

15 Q. And you did that here?

16 A. Yes.

17 Q. And then, behind that, I see a series of
18 photos. Can you describe what those are?

19 A. Well, on the Notice and Order, dated
20 June 25th, the first bullet is the condition that this
21 is a condition of the extension being granted.

22 And it says that the exterior has to be in
23 compliance by August 1st. These photos are dated
24 August 2nd, and it shows that the exterior is not in
25 compliance.

1 Q. And can you briefly describe to the Board why
2 the exterior is not in compliance, based on those
3 photos?

4 A. Well, it's -- it's similar to the previous.
5 There's water damage. Siding and other structures that
6 are in disrepair, have water damage.

7 One of the photos shows the meter housing at
8 the rear of the property. It shows it's pulled away
9 from the wall. And that's a fire hazard, electrical
10 concern. And then one of the photos shows the exposed
11 wires at the rear of the property.

12 Q. And were you approached after that inspection
13 regarding a second request for extension?

14 A. Yes. There was a second request.

15 Q. And I refer you to what's been marked as City
16 Exhibit Number 5.

17 A. (Reviewing documents.)

18 Q. And can you describe the first two documents
19 prior to the pictures -- describe to the Board what
20 those are.

21 A. It's an email from the power of attorney,
22 Dee, and she's describing what's been done to the
23 property. And at this time, there was -- it seems like
24 there was a focus on cleaning up the debris from
25 inside.

1 They did take care of the rear deck. They
2 removed it. But she's requesting another extension and
3 describes what's been done.

4 Q. Did you grant the extension?

5 A. We did.

6 Q. And, again, that's something that you would
7 normally do if there was some progress on the property?

8 A. Yes.

9 Q. Did you take a series of pictures on
10 August 30th to document whether the property was under
11 compliance after that extension?

12 A. Yes.

13 Q. And I'd like you to look at those pictures.

14 A. Okay.

15 Q. And can you describe -- and, again, like the
16 pictures in the prior exhibit, these were taken in the
17 course of your duties as a Code Enforcement Supervisor?

18 A. Yes.

19 Q. And they were to document the inspections you
20 did?

21 A. Yes.

22 Q. And they're part of the official record and
23 have been part of the official record since they were
24 taken?

25 A. Yes.

1 Q. And they represent what you saw on your
2 inspection of the property?

3 A. Yes, they do.

4 Q. And the next -- can you describe the first
5 picture, which appears to be looking at the front yard
6 from the front door? What is your concerns?

7 A. And it's the same condition, with the front
8 porch and the siding. The roof is in disrepair. Water
9 damage, and rotted wood, and unstable front porch there
10 covering the front door.

11 Q. And I'd like you to look at the second
12 picture and describe your concerns.

13 A. And this is of the opposite wall, facing
14 west. And it shows water damage to the siding.

15 Q. I'd like you to take a look at the third
16 picture and describe your concerns.

17 A. And it's the corner of the house above the
18 garage. It shows the large holes in the soffit and
19 fascia board.

20 Q. And I'd like you to take a look at the next
21 photo and describe your concerns.

22 A. It's a similar photo, just a wide-angle shot.
23 And this one also shows the uneven walkway to the front
24 door. You can see that the concrete steps have
25 dropped.

1 Q. I'd like you to look at the next picture now,
2 Ms. Thompson. Now, Ms. Thompson, were -- was the
3 property in compliance with the Property Maintenance
4 Code as a result -- at the end of the second extension?

5 A. No, it was not.

6 Q. And in your opinion, based on -- as a Code
7 Enforcement Supervisor, based on your expertise, was
8 the property habitable at the end of the second
9 inspection extension? This would have been the date of
10 September 21 of 2018.

11 A. No.

12 Q. And had you been contacted by any general
13 contractors regarding obtaining a building permit and
14 coming in and doing the necessary work to bring the
15 property into compliance with the code?

16 A. I did receive a call from a general
17 contractor who said that he was working for Mr. Lynch.
18 And I informed him what we would need for permits. And
19 he asked for more time outside of these other
20 extensions.

21 And I think Dee, the power of attorney, was
22 also working with him, and she was trying to coordinate
23 with him with these extensions.

24 But then I heard from her that the contractor
25 had fallen off and was not interested and was not able

1 to do the work.

2 Q. And do you know if any contractor or person
3 or agent on behalf of Mr. Lynch has obtained a permit
4 for the work?

5 A. The only permit that was obtained was to
6 replace or reset the electrical meter on the outside to
7 get service. But no inspections were done on the
8 inside of the electrical.

9 So that permit was just for the electrical
10 meter on the . . .

11 Q. Now, Ms. Thompson, in your experience and
12 expertise as a Code Enforcement Supervisor, you issue
13 Notices of Corrective Action and evaluate how much time
14 is needed to bring the property into compliance?

15 A. Yes.

16 Q. You've heard testimony from Mr. Lynch that he
17 could bring the property into compliance within five
18 months. Is that reasonable to bring it into compliance
19 within the number of things that you've evaluated that
20 need to be done?

21 A. Well, in my opinion, I think that there would
22 have to be professional contractors involved in order
23 to meet that five-month period.

24 Q. And from 2012 to the present, there's never
25 been a professional contractor involved?

1 A. Not that I'm aware of, no.

2 Q. And do you have any reason to believe that
3 there would be one in the future?

4 A. That, I'm not sure about.

5 Q. Now, as a result of this August 30th
6 inspection, what did you do next with this?

7 A. Let me check my notes to see the timeline on
8 it. After that inspection . . .

9 Q. Just a minute. Let me have you look at City
10 Exhibit Number 6.

11 A. So the inspection that we just reviewed,
12 August 30th, that had to do with the exterior, and that
13 was to determine if they had complied with the second
14 extension.

15 So that one was just of the exterior. And
16 then on September 18th, we conducted an interior
17 inspection.

18 Q. Let's just talk about the exterior
19 inspection. And as a result of the exterior
20 inspection, did you issue any notices?

21 A. Yes.

22 Q. And what notices did you issue?

23 A. It was a Final Notice and Order, and it was
24 issued on September 4th.

25 Q. Now, Ms. Thompson, is this the Final Notice

1 and Order that is issued, basically telling a property
2 owner that you must comply with the Property
3 Maintenance Code or the property is subject to
4 demolition?

5 A. That is an option. But this notice was prior
6 to the demolition.

7 Q. Okay. But if a property owner failed to
8 abate the problems, would they then be subject to a
9 Notice and Order of Demolition?

10 A. Yes.

11 Q. And so this was basically your last-ditch
12 attempt to get compliance?

13 A. Yes.

14 Q. And did you have any conversations with
15 Mr. Lynch from -- during -- let's take one period of
16 time at -- in 2018, did you have any conversations with
17 Mr. Lynch?

18 A. No.

19 Q. And did he ever contact you or contact your
20 office regarding bringing the property into compliance?

21 A. No.

22 Q. Did you ever have any conversations with
23 Mr. Lynch during 2017?

24 A. No.

25 Q. In 2016?

1 A. No.

2 Q. In 2015?

3 A. No.

4 Q. And in 2014?

5 A. No.

6 Q. In 2013?

7 A. No.

8 Q. In 2012?

9 A. Yes.

10 Q. And what was the nature of those
11 conversations, if you could?

12 A. That was in court. And it was just over the
13 court arraignment.

14 Q. Okay. Now, from the time of this outside
15 inspection on September 4th, 2018, till today, has the
16 property been brought into compliance?

17 A. It -- it has not been brought into full
18 compliance.

19 Q. And did you have occasion recently to go by
20 the property?

21 A. Yes.

22 Q. What did you observe?

23 A. The exterior looked the same as when we did
24 the -- our last interior inspection was October 16th.
25 And the exterior looked the same. And it's still not

1 in full compliance.

2 Q. And does the property have utilities?

3 A. The property --

4 Q. Other than electricity.

5 A. The property has electricity. And, again, no
6 inspections have been made on the interior electrical
7 wiring. But there's no gas and there's no water.

8 Q. And is the property inhabitable today as we
9 speak?

10 A. Not that we -- not as far as -- not -- well,
11 not without gas and water, it's not. But we -- the
12 last time we were in was on October 16th.

13 Q. And is the property safe to live in today, as
14 we speak?

15 A. No.

16 Q. And you're -- on -- and as a result, was the
17 Order of Abatement complied with?

18 A. No.

19 Q. And so what action did you take then?

20 A. We issued an Order of Demolition.

21 Q. And do you know if that was served upon the
22 mortgage company having a lien on the property as well
23 as Mr. Lynch?

24 A. Yes.

25 Q. And did you keep the records of that service?

1 A. I did.

2 Q. And, in fact, those were filed with the
3 Board?

4 A. Yes.

5 Q. Were you ever contacted by the lender
6 regarding their bringing the property into compliance?

7 A. Not in bringing the property into compliance,
8 but I did receive two phone calls from attorneys for
9 the lender. They wanted information about the Order of
10 Demolition.

11 Q. And did we provide that?

12 A. I referred them to your office.

13 Q. And now, going back to the issue of bringing
14 this property into compliance, are you aware of any
15 City grant programs to individuals that would provide
16 bringing this property into compliance?

17 A. Not at this time.

18 Q. And are you, in fact -- the City grant: Are
19 you aware of a City grant that basically goes to
20 non-profits and other entities that -- social services?
21 Do the City grants go to the non-profits? They don't
22 go to individuals?

23 A. That's -- that's correct.

24 STEPHEN KEMP: I have no further questions.

25 KEN FELLMAN: Mr. Chairman, I think it would

1 be appropriate to ask Mr. Lynch if he has any questions
2 of this witness.

3 DAVID MITCHELL: Do you have any questions?

4 DAVE LYNCH: Not of significance, but my
5 question --

6 KEN FELLMAN: Pull the microphone down a
7 little bit so we can hear you. Thank you.

8 Q. (BY DAVE LYNCH) Hello? I have a series of
9 consistent problems with the way the City decides they
10 want to communicate. And --

11 KEN FELLMAN: Mr. Lynch, I'm sorry. This is
12 cross-examination. The question is, do you have a
13 question to ask this --

14 Q. (BY DAVE LYNCH) Okay. You posted the notice
15 on exhibit for the fence in the back yard. We had a
16 microburst, and you posted it on the door. And it's
17 the first one that you ever put -- actually, what it
18 is, the fence in the back must be affixed by 5/8/18.

19 And it was fixed by 5/8/18, yet you sent
20 somebody to the property anyways. And how do you --
21 how do you get notice of a problem if you post it and
22 give five days, when you're not even allowing the
23 person to be there? And has the fence been fixed?

24 A. Depends when the fence was repaired. And we
25 do post the notice on the property and have an

1 expectation that the property owner is taking care of
2 the property and so will see the notice.

3 Q. And so have you ever or any of your staff
4 given a path forward on what they actually want done?
5 Because you look at your notice to whatever it's called
6 of 5/21, and the one for September 4th, they look
7 exactly the same, saying that it's been no work done.

8 A. This is a standard notice that we give. And
9 if we get phone calls or emails or any communication
10 from the owner or any interested party, we're happy to
11 discuss details or anything to do with the Notice and
12 Order of the inspections.

13 DAVE LYNCH: Okay. That's all.

14 DAVID MITCHELL: Any Board questions?

15 Q. (BY RON MANSKE) Yeah. Part of Mr. Lynch's
16 testimony dealt with 7839 Windermere. You mentioned in
17 that case there was a complaint of exterior poor
18 condition. They contacted your office -- or I guess
19 somebody would have made a complaint to your office; is
20 that right?

21 A. Yes.

22 Q. And then they contacted you after the
23 complaint was made; is that right?

24 A. The homeowner did, yes.

25 Q. Homeowner did? You know, understanding it

1 may not even be your duty, per se, to refer citizens to
2 volunteer groups, like you would have in that case, but
3 I'm just curious, have there been other cases where you
4 referred citizens to, you know, some groups or entities
5 that might be able to help in their properties when
6 they've been brought to your attention?

7 A. If they request it, and, you know, if we
8 become aware that there is a hardship, and we're aware
9 of a long-term group that is available, we will put
10 them together.

11 Q. With Mr. Lynch's property, were you aware of
12 a volunteer group or did you suggest or mention
13 anything like that to him at the time?

14 Somebody -- it sounded like somebody had
15 contacted you or your office about 70 -- you know, the
16 comparisons to 7839, so did somebody refer him to
17 whatever volunteer group helped at 7839?

18 A. Not that I'm aware of.

19 Q. Okay. Were you aware that that -- if that
20 entity even still existed, or, I guess, why not refer
21 him if you've referred others?

22 A. Well, typically, when we refer a homeowner,
23 again, there's a hardship in that, and they ask for
24 help. It's usually fairly small. It could be a fence
25 repair. It could be paint, yard work.

1 This -- this is an extreme case that, you
2 know, we would not have thought of a volunteer group.
3 That -- I don't even --- we were not asked for
4 information or help with the volunteer group.

5 Q. Did you feel that the property -- that
6 Mr. Lynch's property was in much worse condition than
7 7839? Is that --

8 A. Yes.

9 Q. -- what you're saying here? Okay. You
10 mentioned biohazard. The ammonia was so extreme, it
11 required PPE before anybody could enter?

12 A. Yes.

13 Q. Do you think that poses a danger to neighbors
14 when the -- would the ammonia be so strong as to --

15 A. It could.

16 Q. -- migrate? And what's the health risk
17 associated with ammonia?

18 A. Lung damage.

19 Q. Okay. Mr. Lynch talked about not being able
20 to access his property during a certain time period. I
21 understand he -- it sounds like, from what you just
22 testified -- right word -- but what you just said, you
23 really didn't hear from him between 2012 -- after 2012
24 until 2018; is that right?

25 A. That's correct.

1 Q. And if -- if he had been -- if he had
2 contacted -- it sounded like, according to his
3 testimony, the police had chased him off when he did
4 try to come by.

5 If he had contacted your office or contacted
6 you, would there have been a way for him to get to his
7 property and try and clean things up or try to make
8 progress on it?

9 A. Yes.

10 Q. Okay. And what would that have looked like?
11 Would you have called city police, or what would that
12 have looked like?

13 A. No. He had -- the Notice and Order that we
14 posted here, it's unfit for habitation, it's different
15 than a dangerous structure. The owner can access it at
16 any time. He can go in and out during the day.

17 I mean, at night, you know, the concern is if
18 someone's living there, occupying the property. So he
19 could go in at any time --

20 Q. Okay.

21 A. -- work on the property. Now, to do work, if
22 he did work with a permit, we want that permit
23 obtained. But otherwise, we don't limit the amount of
24 time that an owner is at the property doing work.

25 Q. Okay. Which sounds contrary to what he told

1 us.

2 A. Yes.

3 Q. Okay. I think we need to get to the bottom
4 of that, perhaps. There's no request to board the
5 property. Is that a remedy the City might have offered
6 to somebody in a situation like this, and say, Hey, if
7 you board this place up, we can work with you longer,
8 or something to that effect?

9 A. No. That would not have made a difference.

10 Q. Okay. Have -- in your opinion, have any
11 elements -- well, I'm sorry. You probably said, but
12 when was the last time you were at the property?

13 A. We were in the interior in October, and I
14 drove by the property this week.

15 Q. Okay. But you didn't go inside this week?
16 Okay. So he showed pictures that were probably,
17 perhaps, first time you've seen some of the condition
18 of -- the pictures that he showed, some of the cleanup
19 and whatnot; is that true?

20 A. We did observe some of that in October.

21 Q. Okay.

22 A. The interior.

23 Q. Do you believe any elements of this property
24 have been brought into compliance with the -- you know,
25 there were specific code provisions that were stated --

1 you know, and the inspection report that had been
2 violated. Do you think any of those have been brought
3 into compliance yet?

4 A. Not fully.

5 Q. Not fully? Okay.

6 RON MANSKE: That's all I have.

7 Q. (BY DONNA FLAHERTY) I have a question. I
8 noticed in some of the pictures, there was lockboxes on
9 the front door, on the garage door, and I think on the
10 rear door. Were those put on by the City?

11 A. At one point, when -- in that one photo from
12 2013, with the police officer there, when there was a
13 trespass, in order to secure the front door, the City
14 did have to have that front knob changed, and we put on
15 a lockbox.

16 That's what that orange notice states, that,
17 for entry to anyone, the owner or mortgage company,
18 contractor, to contact the City Code Enforcement or
19 police department for entry.

20 But after that date, the house was going into
21 foreclosure. So that blue lock on the garage was put
22 there by the mortgage company, and they completely
23 rekeyed the house, so the City no longer had access to
24 it as far as our own lockbox that we had on there.

25 And my understanding is that the property was

1 redeemed and so never went into foreclosure, and the
2 mortgage company took possession. But that's -- that's
3 what the blue lockbox is.

4 Q. (BY DAVID MITCHELL) When you went by this
5 week, what does the exterior look like, from a
6 neighborhood standpoint, from a -- is it an eyesore?
7 Is it reasonable? What do you see this week?

8 A. Well, there is some improvement. And the
9 photos that Mr. Lynch displayed show that, where
10 there's been sections of the siding that have been
11 replaced.

12 There's been scrap wood used to repair some
13 of the soffit and fascia board. And some of the
14 damaged siding has just been painted over. So it's
15 better at a glance, as far as, you know, the water
16 damage.

17 Q. If a neighbor called today and said the
18 property is terrible, it's -- it's a -- you know,
19 whatever, and you drove by the property, would you give
20 notice to the owner, or would you say to the person
21 that complained, Yes, it's not pretty, but it's -- it's
22 not something we're going to post? What would you do?

23 A. We would give notice because there is still
24 areas of exposed wood and siding, not protected.

25 Q. Okay. From a -- from a looks standpoint,

1 from a curb standpoint, it's still not what you would
2 accept for the neighborhood --

3 A. Yes.

4 Q. -- is that correct?

5 A. That's true.

6 DAVID MITCHELL: Thank you.

7 Q. (BY MATT TREINEN) Based on your experience
8 as a Code Enforcement Supervisor, can the house be
9 mitigated and brought up into compliance with the code,
10 or is it beyond disrepair?

11 A. I think if enough money is invested, it
12 could.

13 MATT TREINEN: Thank you.

14 Q. (BY RON MANSKE) You mentioned that the
15 mortgage company had contacted your office. Are you
16 aware of what they are doing about the situation at the
17 moment?

18 Are they taking any sort of action to -- to
19 repossess the property or anything like that that
20 you're aware of?

21 STEPHEN KEMP: I can just tell you that the
22 mortgage company is aware of this hearing on tonight.
23 They were served with the paperwork for this hearing.
24 And they were made aware of the right to appear at this
25 hearing.

1 And they obviously did not appear. So that's
2 the best I can tell you.

3 KEN FELLMAN: Just a follow-up on that, I had
4 a note that, before we close the evidence, whenever we
5 get to that point -- maybe it's a good idea to do it
6 now.

7 But it's been raised. I agree with counsel
8 that in -- in a way, it's obvious, but no one has
9 actually made an announcement and requested, is there a
10 representative from the mortgage company here tonight
11 who has any interest in speaking to this Board?

12 (No response.)

13 KEN FELLMAN: Now I think we can say, for the
14 record, no one has responded, and it is obvious that
15 there is no representative from the mortgage company
16 here.

17 Q. (BY RON MANSKE) What I'm interested in, and
18 I don't know if Ms. Thompson is the right person to
19 answer, but is -- you know, if the property were to be
20 sold in the current state it's in, you know, given you
21 have these -- these notices and, you know, now an order
22 to demolish, is that even still something that's
23 legally or procedural, whatever, possible at this
24 point?

25 A. There is a provision in the Property

1 Maintenance Code that allows, when there's a transfer
2 of title, if we get a signed, notarized statement from
3 the buyer that they accept the Notice and Order and
4 that they are going to make the corrections and
5 acknowledge that, that is legal. We would accept that.

6 Q. (BY DAVID MITCHELL) Do you give them a
7 certain amount of time to do that? And you would give
8 them -- you would say that X number of months to do
9 this, or whatever?

10 A. Yes. Yes.

11 RON MANSKE: Okay. Thank you.

12 DAVID MITCHELL: Thanks. Does the City have
13 anybody else?

14 STEPHEN KEMP: Yes, we do. The City would
15 call Wendy Landin.

16 KEN FELLMAN: Mr. City Attorney, could you
17 advise us of the council rules that apply to boards and
18 commissions regarding timing of meetings?

19 STEPHEN KEMP: Yes, Mr. Fellman, Members of
20 the Board. The council protocols and legislative rules
21 require that if a board is going to go beyond
22 10:00 p.m. that the board must vote to continue the
23 hearing that night past 10:00 p.m.

24 DAVID MITCHELL: We polled. We polled. We
25 polled the Board to see if that's okay.

1 STEPHEN KEMP: Correct. Well, either
2 polling, but technically, you should just vote on it.
3 And I would just encourage that the Chair ask the Board
4 the proper process. That's what was used in the City
5 Council, if at 10:00, the council voted, should we
6 continue our meeting? And the council did.

7 KEN FELLMAN: And if I understand correctly,
8 it's the Board's discretion to decide how long you want
9 to go and then revisit the issue --

10 DAVID MITCHELL: That's correct.

11 KEN FELLMAN: -- this or another evening.
12 Somebody may want to make a motion. Mr. Chairman, you
13 may want to suggest.

14 DAVID MITCHELL: Right. Let me -- let me --
15 before I do that, let me ask, how long do you think
16 this person might testify?

17 STEPHEN KEMP: I don't expect this witness to
18 take more than half an hour. But I think, probably --
19 I have probably another hour after that because I have
20 three more witnesses.

21 DAVID MITCHELL: Okay. All right. Then I'm
22 going to -- that would be -- well, that could well be
23 11:30 or 12:00, couldn't it?

24 STEPHEN KEMP: I would hope it would be
25 earlier.

1 DAVID MITCHELL: It's 10:00 now. If this
2 witness is half an hour, then you have -- so it could
3 easily be 11:30, correct?

4 STEPHEN KEMP: Yes. I -- hopefully sooner.
5 But I think that would be a realistic estimate.

6 DAVID MITCHELL: I'm going to suggest that
7 we . . . Do you have knowledge of when this would be
8 available, not waiting till February?

9 DENISE CIERNIA: One option would -- it all
10 depends on other people's availability, but
11 January 30th is a Wednesday, and it is available. But
12 it would depend -- I'd have to ask our attorneys if
13 they're available.

14 STEPHEN KEMP: Yes.

15 KEN FELLMAN: I can be available.

16 DENISE CIERNIA: And if we have enough Board
17 members to be available.

18 STEPHEN KEMP: This is a non-City witness.
19 This is an outside witness who has come in, and if the
20 Board indulges, I would ask that you continue long
21 enough to take this testimony so this witness doesn't
22 have to come back.

23 DAVID MITCHELL: You'd like to do this
24 tonight?

25 STEPHEN KEMP: You need a motion to go past

1 10:00 p.m.

2 KEN FELLMAN: You could include in your
3 motion, if January 30th is an appropriate date, to go
4 past 10:00 p.m. to hear this witness, and the
5 conclusion of this witness's testimony, to then
6 continue the proceeding until January 30th.

7 RON MANSKE: Can we get a copy of the
8 transcript of tonight's proceedings before that meeting
9 or not, to refresh our memory before?

10 KEN FELLMAN: You would look at the video.

11 DENISE CIERNIA: Actually, no. I'm sorry.
12 There is no video published for this. No. It's the
13 court transcript. And it's normally not turned around
14 that quickly.

15 THE REPORTER: I can certainly do it early.

16 DENISE CIERNIA: It looks like maybe we could
17 have the transcript done that quickly.

18 RON MANSKE: I move that we hear the current
19 witness here in front of us and then hear further
20 testimony on January 30th.

21 RANDY HOUCHEN: I second that.

22 KEN FELLMAN: For clarification, that's
23 January 30th at 6:30 p.m.?

24 DENISE CIERNIA: That's correct.

25 DAVID MITCHELL: Okay. We'll call for the

1 vote.

2 KEN FELLMAN: I'll ask if that's okay with
3 the Appellant, January 30th? Mr. Lynch, is that
4 acceptable to you?

5 DAVE LYNCH: I'm in no control. I'm just
6 along for the ride.

7 KEN FELLMAN: I just want to make sure that
8 will accommodate your schedule as well.

9 DAVE LYNCH: I'll be here. What schedule?
10 And I ain't got no schedule.

11 DENISE CIERNIA: Thank you, sir.

12 DAVID MITCHELL: That's the question we
13 needed to ask.

14 DENISE CIERNIA: Go down the line. Board
15 Member Manske.

16 RON MANSKE: Yes.

17 DENISE CIERNIA: Board Member Houchen.

18 RANDY HOUCHEN: Yes.

19 DENISE CIERNIA: Chair Mitchell.

20 DAVID MITCHELL: Yes.

21 DENISE CIERNIA: Board Member Treinin.

22 MATT TREININ: Yes.

23 DENISE CIERNIA: Board Member Flaherty.

24 DONNA FLAHERTY: Yes.

25 DENISE CIERNIA: Unanimous. Thank you.

1 WENDY LANDIN

2 was called as a witness on behalf of the Respondent
3 and, having been sworn, was examined and testified as
4 follows:

5 Q. (BY STEPHEN KEMP) Can you state your name --
6 your name and address for the record.

7 A. My name is Wendy Landin, and I lived at
8 7876 South Windermere Circle for 35 years. 7876 South
9 Windermere Circle, Littleton 80120.

10 Q. Now, Ms. Linden, is your property directly
11 next door to the subject property owned by Mr. Lynch?

12 A. Yes. I live exactly next door.

13 Q. And so all of the time that Mr. Lynch has
14 been on the property, you've had occasion to observe
15 the condition of the property?

16 A. Yes. I've watched it deteriorate for
17 16 years. Specifically, almost seven in April that
18 it's been condemned.

19 Q. And can you describe to the Board what you
20 have -- starting in April 2012, which is when Code
21 became involved, can you describe to the Board, from
22 April 2012 to the present, what you've observed from
23 your standpoint as a neighbor regarding this property.

24 A. Okay. First of all, Mr. Lynch stole water
25 from me, and that is in the court record. I went to

1 court. He was using a hose to connect it to my house
2 because he had no water because it had been shut off
3 because he had been fired from his job.

4 When I called the police, he said, She's
5 working and I'm not, so why should I not steal her
6 water? And that is the truth.

7 And I was then given money from the City from
8 our tax dollars until that bill was paid. It was
9 several hundred dollars of water that he stole from me
10 that I caught him doing.

11 Q. What else did you observe from April 2012,
12 beyond the water incident, in terms of that property?
13 What things have you observed from your standpoint as a
14 neighbor? What have you observed on that property?

15 A. Okay. Our concern -- my neighbors also are
16 over here. Our concerns are our safety and our health.
17 And we are law-abiding, tax-paying citizens.

18 And we have watched this house go into total
19 disrepair with nothing being done for years and years.
20 And Ms. Thompson has been out. She has posted notices.
21 They've gone ignored.

22 And then she's given extension after
23 extension after extension. And we have watched the
24 roof fall in. We have watched the porch come down.
25 There are no gutters.

1 The back yard is impassable. His branches
2 from his trees have fallen into my yard. I've had to
3 pay to have the fence repaired, that I paid for
4 initially, the fence. I was never given a dime for the
5 fence.

6 And his trees were growing into my house. So
7 at our taxpayer expense, they had to come out and trim
8 the trees because they were in my screens, ripping
9 apart my screens at my house.

10 And I have watched rats, raccoons, bats come
11 from that house. It has brought all of our property
12 value down. It is a grave concern to my entire
13 neighborhood that we live in this filth and disgust
14 next door to us.

15 It's a danger to us of a fire, or explosion,
16 gas, whatever, is very concerning. And it is not right
17 that we have to continue to live like this in our
18 neighborhood, where we pay our taxes, where we maintain
19 our homes, where we all work very hard to make sure our
20 houses look nice and that they're safe and they're
21 clean and they're healthy.

22 And I've watched nothing but deterioration,
23 as all my neighbors who are here tonight have done for
24 16 years, almost seven, specifically, since it was
25 condemned. Nothing has been done.

1 Some people came from the church, and they
2 even gave up on it. And they came to do some things.
3 There was a Dumpster out there the entire summer that
4 we had to look at that was filled with all kinds of
5 garbage. And that was unsafe for our neighborhood.

6 It was very upsetting to all of us that we
7 were living in this filth and this disgust. And they
8 have nothing to do with us.

9 And we all work very hard to maintain our
10 properties, and we're proud to be citizens of
11 Littleton. And we do not deserve to continue to be
12 unsafe and unhealthy in our neighborhood.

13 And we've all watched a progression of
14 deterioration and filth and disgust.

15 Q. Ms. Linden, has this -- in terms of the other
16 properties in your neighborhood, this property, is this
17 property maintained to a standard consistent with the
18 other properties in your neighborhood?

19 A. Absolutely not.

20 Q. And does -- because you're adjacent to the
21 property, do you have occasion to observe whether
22 there's being done -- work done on the outside of the
23 property on an ongoing basis?

24 A. Yes. We saw this summer some activity for
25 about two weeks. People came from the church with

1 trucks. They're the ones that paid for the Dumpster.
2 And it was filled up three times and taken away, and
3 finally, it was taken away at the end.

4 We did see the deck go out into the Dumpster.
5 We saw all kinds of other garbage and rubbish go into
6 the Dumpster this summer. But it's not anywhere near
7 what the lists were that was posted on the door.

8 There were about 20 infractions that had to
9 be met up to code by August, and they were not. It was
10 given another extension. They were not.

11 And now we are here again tonight, and it
12 still hasn't been approved. There was one piece of
13 wood that went up underneath the porch to keep it from
14 collapsing. There was some siding work done.

15 As Ms. Thompson stated, most of it was just
16 painted over. It wasn't replaced. There's mold. The
17 stairs are unsafe. And there's exposed wires.

18 And we've seen a little bit of action, but
19 not nearly what it was supposed to be. And it's not
20 taken place. And he's continuing to not comply with
21 the City.

22 Q. And, Ms. Linden, has the condition of this
23 property affected your quality of life on your
24 property?

25 A. Absolutely. My entire neighborhood has been

1 at stake. Our property values have deteriorated.

2 People have told us they would not buy a house next to
3 a condemned house, so nobody wants to buy our homes.

4 We have nowhere to go. We can't afford to
5 live somewhere else. We're not going to be driven out
6 of our neighborhood by Lynch. We have seen nothing but
7 lack of anything from him.

8 No cooperation. And we are not grouchy
9 neighbors. We are concerned citizens.

10 Q. And, Ms. Linden, do you have any objections
11 to, if the Board were to grant the Order of Demolition
12 for this property, do you have any objections to this
13 property being demolished, in terms of how it affects
14 your property?

15 A. No. I would have absolutely no hesitation.
16 It would increase our value of life, our value of our
17 property. We are all in a terrible situation in
18 Windermere Circle.

19 When Littleton is called one of the best
20 neighborhoods in all the United States, it is not for
21 us at all in any way, shape, or form. I actually work
22 for Littleton Public Schools. So I'm an employee of
23 Littleton as well.

24 And I can't in good conscience go and tell my
25 students, that I teach U.S. government, how it works

1 when citizens have no rights. And we have no rights.
2 He has them all.

3 And this has been a hardship for all of us.
4 It's very scary for us. It's very upsetting for us.
5 We see him all the time. He spends the night there.
6 He is not allowed to, but he's there. We see him
7 coming and going.

8 And he goes against all the laws, all the
9 parameters of decency as a neighbor. And he continues
10 to do this. And it's not safe for us. Our quality of
11 life, which we all deserve, has been prohibited by him.

12 And our property values that -- we all work
13 hard. This summer we painted. We put in new windows.
14 We did all these things to our home to make them even
15 better. We want to have a nice, quality neighborhood.

16 We deserve to have a nice quality of a
17 neighborhood. We did not deserve to live next to a
18 condemned house for seven years and that continues to
19 be rot and filth.

20 STEPHEN KEMP: I have no further questions.
21 Thank you for coming tonight.

22 WENDY LINDEN: Thank you. I appreciate your
23 consideration to act on this on our behalf.

24 DAVID MITCHELL: One second. Mr. Lynch, do
25 you have any questions?

1 Q. (BY DAVE LYNCH) You brought up water. When
2 was the water issue?

3 A. And it is . . .

4 DAVID MITCHELL: His question was, do you
5 recall when the water issue was?

6 WENDY LINDEN: Yes. It was in 2008. You
7 have the paperwork. We went to court in 2008.

8 DAVID MITCHELL: Okay.

9 WENDY LINDEN: And the City sided with me.
10 The judge did.

11 DAVID MITCHELL: Thank you. Okay.

12 Q. (BY RON MANSKE) So is there a homeowners
13 association in your neighborhood?

14 A. No, there's definitely not.

15 Q. And do you -- and so probably goes without
16 saying, you probably don't have any sort of covenants
17 in your neighborhood either?

18 A. No.

19 THE REPORTER: Could you ask that question
20 again slower? I didn't understand you.

21 Q. (BY RON MANSKE) Second question, whether
22 there were any covenants in the neighborhood, and --

23 A. No. If there were, then we wouldn't be
24 dependent upon the City to make sure these things
25 happen. That's why we have a Board. They would have

1 long ago kicked him out. So . . .

2 Q. I understand.

3 DAVID MITCHELL: So, obviously, then, we're
4 relying on the code through the City to keep the
5 neighborhood.

6 THE WITNESS: Yes, sir, for our safety and
7 health.

8 Q. (BY RON MANSKE) Have you -- are you aware of
9 any health issues directly related to this property?

10 A. I'm not sure yet. But we're talking tonight
11 about mold. We're talking about all kinds of items.
12 That might be long in the future that he's causing for
13 our neighborhood.

14 Q. I understand. There's potential. Sounds
15 like, so far, the answer would be no?

16 A. As far as we know, at this point. But that
17 doesn't mean in the future.

18 Q. I understand.

19 A. If there's asbestos, or, you know, there's
20 mold, it hasn't manifested itself.

21 DAVID MITCHELL: Anybody else?

22 (No response.)

23 DAVID MITCHELL: Thank you.

24 STEPHEN KEMP: Ms. Linden, we excuse you as a
25 witness. She does not have to reappear.

1 DAVID MITCHELL: Yes. And also, I meant to
2 enter into evidence all the photos.

3 STEPHEN KEMP: Yes. I would ask that and
4 move the City's Exhibits 1 through 6, which
5 Ms. Thompson has laid the foundation.

6 For 7 and 8, other City witnesses will lay
7 the basis for those. I would ask that witnesses have
8 made the bases by that, but that you admit Exhibits 1
9 through 6.

10 DAVID MITCHELL: Okay. Done.

11 KEN FELLMAN: Any objection before we do
12 that, Mr. Lynch? Introducing those?

13 (No response.)

14 KEN FELLMAN: 1 through 6 are in.

15 (Exhibits 1 through 6 were admitted into
16 evidence.)

17 (The proceedings were concluded at 10:13 p.m.
18 on Wednesday, January 16, 2019.)

19

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REPORTER'S CERTIFICATE

I, Wendy McCaffrey, Registered Professional Reporter and Notary Public in and for the State of Colorado, do hereby certify that said proceedings were taken in shorthand by me at the time and place hereinabove set forth and were thereafter reduced to typewritten form under my supervision, as per the foregoing transcript; that the same is a complete, true, and correct transcription of my shorthand notes then and there taken.

I further certify that I am not related to, employed by, nor of counsel for any of the parties or attorneys herein, nor otherwise interested in the event of the within action.

My commission expires January 31, 2020; and I have hereunto set my hand this January 23, 2019.


Professional Court Reporter
and
Notary Public



INSPECTION REPORT/NOTICE AND ORDER

Property Address: 7874 S Windermere Cir. Littleton, CO 80120 Inspection Date: 5/21/2018

Code Sections	2012 International Property Maintenance Code	Comply Date
304	EXTERIOR: The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety and welfare. OBSERVATION: The exterior of the structure is an extreme state of disrepair with evidence of water intrusion at the roof and walls. Walking surfaces to the front and rear entry ways are in a dangerous state of disrepair.	15-Oct-18
603	MECHANICAL: All mechanical appliances, fireplaces, solid fuel burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition. OBSERVATION: Non-functional equipment, stripped of parts and deteriorated beyond repair. No gas utility.	15-Oct-18
504	PLUMBING: All plumbing fixtures shall be properly installed and maintained in working order. OBSERVATION: Copper pipes and fixtures missing, abandoned and/or non- functional. No water utility.	15-Oct-18
605	ELECTRICAL: All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner. OBSERVATION: Exposed wires, electrical fixtures removed throughout the structure. No electric utility.	15-Oct-18
305	INTERIOR: The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in sanitary condition. OBSERVATION: The entire interior is in an extremely unsanitary condition with bio-hazard material throughout.	15-Oct-18
702	MEANS OF EGRESS: A safe and continuous and unobstructed path of travel shall be provided. OBSERVATION: Egress is compromised in every room of the structure, due to accumulation of trash and miscellaneous items.	15-Oct-18

Correction Order: Repair and make corrections to make the structure safe and habitable, or demolish and remove the structure by 15-Oct-18

* Failure to comply with this Notice and Order shall cause the City of Littleton to take the necessary action to correct or abate the violation. Any action taken by the City of Littleton shall be charged against the real estate and shall be a lien upon the real estate. The City may prosecute in the Municipal Court. A Notice and Order issued under the International Property Maintenance Code may be appealed within ten (10) days of service.

* Note: IBC: International Building Code, 2012 Edition; IPC: International Plumbing Code, 2012 Edition; IMC: International Mechanical Code, 2012 Edition; IPMC: International Property Maintenance Code, 2012 Edition; IFC: International Fire Code, 2012 Edition; NFPA: National Fire Protection Association; LMC: Littleton Municipal Code; all codes as adopted by the City of Littleton.

Inspection Date: 5/21/2018

Re-inspection of exterior Date: 9/4/2018

Inspection by Building Inspectors: Martin Colgan, Dan McCarthy and Chief Building Official Bill Tracy

Photos Taken by: Code Enforcement Officer Kyle Gillitzer & CBO Bill Tracy

Report Prepared on 5/29/2018 by: Code Enforcement Officer Frank Pasco & Supervisor Rebecca Thompson



Compose

Inbox

999+

Unread

Starred

Drafts

Sent

Archive

Spam

Trash

Less

Views

Hide



Photos



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Travel



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Tutorials

Folders

Hide

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aulio1 Washtub1

gmail Washtub_1

hotmail fnulnu01



dave lynch

----- Forwarded Mes

Jul 11 at 11:09 AM



dave lynch



Jul 11 at 11:09 AM

To:

washman1953@yahoo.com

dave lynch

washman1953@yahoo.com
(303) 947-8316



7961

Bemis Cdn

Hide original message

----- Forwarded Message -----

From: Erica Hill <erica@brothersredevelopment.org>

To: washman1953@yahoo.com <washman1953@yahoo.com>

Sent: Monday, July 2, 2018, 10:45:18 AM MDT

Subject: Home Repair-Colorado Housing Connects

Dave,

I got your voicemail, when you reached out to Colorado Housing Connects part of Brother's Redevelopment. You are looking for some home repair. To better help you I would need some demographics from you. What is your zip code? A phone number to reach or leave a message at. Are you a veteran? Do you have a disability? What is your age? What is your birthday? Are you on Medicaid or Medicare or both? What is the race you identify with? What is your average monthly income? Do you live alone?

Please provide us valuable feedback by completing a short, five-part anonymous survey:

[Customer Service Survey](#)

Erica Hill









12/17/2018



12/17/2018



12/17/2018



Electrical



12/17/2018









12/17/2018



12/17/2018









12/17/2018





12/17/2018



