

Vacant Property Review Committee  
October 9, 2018

VACANT PROPERTY REVIEW COMMITTEE

Room 402, Caucus Room  
Philadelphia, Pennsylvania  
Tuesday, October 9, 2018  
10:08 a.m.

PRESENT:

SUSIE JARMON, OHCD - CHAIRWOMAN  
LINDA MEDLEY, LAW DEPARTMENT  
LARRY PADILLA, PRA  
DEB CUNINGHAM, PUBLIC PROPERTY  
KEVIN HUNTER, PLANNING  
ANGEL RODRIGUEZ, LAND BANK  
MICHAEL KOONCE, COUNCIL PRESIDENT CLARKE'S OFFICE  
MARK DODDS, OHCD  
CAROLYN PLACKE, LISC  
JAMETTA JOHNSON, PHA  
ARIELLE HARRIS, L&I

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2 CHAIRMAN JARMON: Good morning.

3 My name is Susie Jarmon. We are about  
4 to get started. Are there any attorneys in the  
5 room?

6 (Raised hands.)

7 CHAIRMAN JARMON: What address are you  
8 here for?

9 MR. KLEIN: Ingersoll.

10 (Applicant approached podium.)

11 CHAIRMAN JARMON: Page 4, 1727, 31 and  
12 33 Ingersoll. Can you state your name for the  
13 record?

14 MR. KLEIN: Sure. Good morning. My  
15 name is Jared Klein with the firm of Orphanides  
16 and Toner on behalf of Raza Properties. This is  
17 Mr. Raza joining me up here. Here for those  
18 Ingersoll properties, which is very simply a  
19 request that the VPRC allow Citizens Bank to  
20 take the first position lien on these three  
21 properties as part of a global mortgage that  
22 they issued to my client who is developing the  
23 parcels into a series of duplexes. He actually  
24 owns 1727 to 37 Ingersoll. It's only these

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1 three parcels that have a Party A reverter.

2 CHAIRMAN JARMON: Any questions.

3 MR. KOONCE: I thought we issued a  
4 letter to that fact?

5 CHAIRMAN JARMON: We did. We issued a  
6 letter but we needed them to come back because  
7 they didn't attend last month.

8 MR. KLEIN: I will apologize for that.  
9 We weren't aware we were listed on the agenda  
10 last month. We would have been here had we  
11 known. There was some miscommunication between  
12 us and the bank in terms of when this was going  
13 to be scheduled. Sorry for any wasted time.

14 CHAIRMAN JARMON: Any further questions?

15 MR. RODRIGUEZ: Move that we support it.

16 MR. KOONCE: Second.

17 CHAIRMAN JARMON: All in favor?

18 (Ayes.)

19 CHAIRMAN JARMON: Any opposed?

20 (No opposition.)

21 MR. KLEIN: Thank you.

22 CHAIRMAN JARMON: You're welcome.

23 What address?

24 (Applicant approached podium.)

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1 MR. TUCHINSKY: I'm here on the 1843  
2 Hazzard Street.

3 CHAIRMAN JARMON: They were on last  
4 month.

5 MR. TUCHINSKY: Right. Good morning  
6 Dimetri Tuchinsky, I'm an attorney for  
7 Mr. Swanson. He is the owner.

8 CHAIRMAN JARMON: This is for 1843,  
9 Swanson.

10 MS. CUNNINGHAM: Is this a release?

11 CHAIRMAN JARMON: This is for a release.  
12 The Committee can see this was a fairly  
13 recent transfer as a side yard to the applicant.  
14 I think the applicant was unable to attend.

15 MR. TUCHINSKY: Correct. He is very  
16 ill. He has COPD.

17 MS. CUNNINGHAM: No. Hasn't been long  
18 enough. The restrictions haven't expired. I  
19 mean, the only way we can consider that is that  
20 the 15th -- one-fifth restriction states if he  
21 sells it, he gets 15 percent profit and the City  
22 gets the rest.

23 MR. TUCHINSKY: I just want to make one  
24 comment. My client Mr. Swanson said initially

1 he was approached to acquire this property,  
2 which is right next to his current residence in  
3 1990s. And he thought that he acquired in  
4 1990s. He has been taking care of it since  
5 1990s, first himself. Then when he became  
6 extremely ill, he started paying other people to  
7 take care of this to keep it.

8 And then about two years ago, he found  
9 out he did not own it. At that point, he  
10 approached the City and finalized the paperwork  
11 where he actually paid \$400 and he finalized the  
12 paperwork. He intended -- he treated it as his  
13 own since 1990s.

14 MR. RODRIGUEZ: Are you making a  
15 specific assertion?

16 MR. TUCHINSKY: Correct.

17 MR. RODRIGUEZ: What assertion are you  
18 making? I mean, legally it's not his property.  
19 While we appreciate the work and the time, it  
20 didn't transfer hands. So unless you're making  
21 a different assertion about his upkeep of the  
22 property --

23 MR. TUCHINSKY: I would just make an  
24 equitable request.

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1 MR. KOONCE: Did he pay taxes?

2 MS. CUNNINGHAM: He paid taxes on the  
3 property.

4 MR. TUCHINSKY: The taxes will be paid.  
5 Whatever is outstanding will be paid.

6 MR. KOONCE: No. No. No. You said you  
7 were making equitable --

8 MR. TUCHINSKY: I'm not sure.

9 MR. RODRIGUEZ: Sir, if it stayed in the  
10 City's inventory, there wouldn't have been tax  
11 assessment applied to it. There were no taxes  
12 assessed to it. It wasn't on the tax rolls.  
13 There wouldn't be any equitable assertion if he  
14 paid taxes for it and, therefore, we could  
15 consider that since it's still in the City's  
16 inventory.

17 MR. TUCHINSKY: I am not entirely  
18 positive on the facts surrounding the taxes what  
19 the situation was. But I know there was  
20 improvements and it was taken care of the entire  
21 time since the '90s.

22 MR. KOONCE: How much did he pay for it?

23 MS. CUNNINGHAM: Nothing.

24 CHAIRMAN JARMON: This was a side yard.

1 MS. CUNNINGHAM: It's only been a year,  
2 right? Not even a year since it was conveyed to  
3 him.

4 MR. TUCHINSKY: The only other  
5 circumstances that I would like to convey is  
6 that my client is extremely sick. He has COPD.  
7 And the reason he initially intended it since  
8 the '90s to really build a structure to buy both  
9 parcels. Now he's extremely ill. His house  
10 requires repairs. Everything is leaking. And  
11 he's hoping to sell this to actually fix up the  
12 structural repairs on his house.

13 MS. CUNNINGHAM: While we can  
14 sympathize, that is not something that is within  
15 our purview. That is -- there are other  
16 programs available for things like that. That  
17 is not something that we can do. We can't let  
18 him sell, because we wouldn't let anyone else.  
19 And I sympathize with your extenuating  
20 circumstances. But as far as I'm concerned,  
21 that's not something we can do. We can't set  
22 that precedent.

23 MR. TUCHINSKY: How much time is the  
24 Council looking for to --

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1 MS. CUNNINGHAM: It's a five-year  
2 restriction, and it hasn't even been a year.

3 MR. KOONCE: Or he can sell the property  
4 and the City gets their share and he gets his  
5 percentage, 15 percent. So if he sold it for  
6 \$10,000, he would get \$1,500.

7 MS. CUNNINGHAM: He would get 15 percent  
8 of that and whatever he put into the property  
9 that he has receipts for since the time of  
10 conveyance.

11 MR. TUCHINSKY: Understood.

12 MS. CUNNINGHAM: That's last year. And  
13 the City would get the rest.

14 MR. TUCHINSKY: I don't have the  
15 authority to agree to that.

16 MS. CUNNINGHAM: We can either make a  
17 motion to deny it, or we can table it if you  
18 would like to come back next month when you find  
19 out from your client what he wants to do.

20 MR. TUCHINSKY: I would ask to table it.

21 CHAIRMAN JARMON: We are going to table  
22 this item until next month.

23 Thank you.

24 MR. TUCHINSKY: That's the old

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1 restriction from 1991, Martha Collins lots.

2 CHAIRMAN JARMON: The release is being  
3 prepared. It's not done yet. And I will email  
4 you as soon as we --

5 MR. TUCHINSKY: Thank you so much.

6 CHAIRMAN JARMON: You're welcome.

7 Any other attorneys?

8 (No hands.)

9 I would like to add the Addendum to the  
10 Agenda. Page 2, 301 North 60th street,  
11 Elizabeth Deloatch.

12 Come up to the podium.

13 (Applicant approached podium.)

14 CHAIRMAN JARMON: Good morning. State  
15 your name for the record.

16 MS. DELOATCH: Elizabeth Deloatch.

17 CHAIRMAN JARMON: You are here to  
18 purchase this lot?

19 MS. DELOATCH: Yes.

20 CHAIRMAN JARMON: And your proposal is?

21 MS. DELOATCH: To you know, blacktop it,  
22 put a fence around it, lighting and add like a  
23 portable water ice stand for the community, have  
24 coat drives, back to school programs, give outs.

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1 MS. JOHNSON: Is this fair market?

2 CHAIRMAN JARMON: Yeah.

3 MS. JOHNSON: I don't know that you can  
4 put a water ice in a residential zone. That  
5 would be a commercial use.

6 MS. DELOATCH: Okay.

7 CHAIRMAN JARMON: Did you hear her?

8 MS. DELOATCH: Yes.

9 MS. JOHNSON: I said I don't think you  
10 can have a water ice there on the commercial  
11 lot.

12 CHAIRMAN JARMON: Any further questions?  
13 Recommendation?

14 MR. RODRIGUEZ: Do you live next to the  
15 site?

16 MS. DELOATCH: Excuse me?

17 MR. RODRIGUEZ: Do you live next to this  
18 vacant lot?

19 MS. DELOATCH: I live maybe two blocks  
20 from it.

21 MS. CUNNINGHAM: This is a fair market  
22 value transfer, right?

23 CHAIRMAN JARMON: Yes. She's the only  
24 applicant.

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1 MR. HUNTER: You are aware by right you  
2 can't put commercial enterprise on that site?

3 MS. DELOATCH: Yes.

4 MR. KOONCE: You still willing to fence  
5 it and provide lighting?

6 MS. DELOATCH: Yes.

7 MS. CUNNINGHAM: You have the funding to  
8 be able to do that?

9 MS. DELOATCH: Yes.

10 MR. RODRIGUEZ: And you also understand  
11 parking is not allowable on residential site?

12 MS. DELOATCH: Yes.

13 MR. RODRIGUEZ: Even if you blacktop it  
14 and fence it, you cannot park on it?

15 MS. DELOATCH: Yes.

16 MR. PADILLA: Question for the  
17 Committee. Even though it's fair market, should  
18 she provide some, like, proposal in writing as  
19 to what's going to happen?

20 MS. CUNNINGHAM: That we have not asked.

21 MR. PADILLA: Right now it's just  
22 hearsay.

23 MR. RODRIGUEZ: There is no policy and  
24 procedures set forth.

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1 MR. PADILLA: Okay.

2 CHAIRMAN JARMON: Any further questions?

3 MR. KOONCE: Let me point this out a  
4 little bit. If we approve this to  
5 Mrs. Deloatch, we will send an inspector out at  
6 some point to see whether it's fenced?

7 CHAIRMAN JARMON: Yeah. A year after  
8 because they have a year.

9 MR. KOONCE: Or she can come in earlier  
10 and say it's done?

11 CHAIRMAN JARMON: Yes.

12 MR. KOONCE: Okay.

13 MS. CUNNINGHAM: She can also come back  
14 in a month and ask for a release because it's  
15 fair market value.

16 MR. KOONCE: Okay.

17 MS. JOHNSON: She can apply for a  
18 variance if she wants to. I mean, if you wanted  
19 to pursue this, you would have to go for a  
20 zoning variance.

21 MS. DELOATCH: Yeah.

22 CHAIRMAN JARMON: Okay. Recommendation?

23 MR. KOONCE: Motion to approve.

24 MR. RODRIGUEZ: Second.

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1 CHAIRMAN JARMON: All in favor?

2 (Ayes.)

3 CHAIRMAN JARMON: Any opposed?

4 (No opposition.)

5 CHAIRMAN JARMON: Thank you.

6 721 Cumberland? No show. Tabled.

7 Next item 1306/8/10/1221st Street, ELU

8 Inc. and the Badger Group, LLC.

9 (Applicant approached podium.)

10 CHAIRMAN JARMON: Good morning.

11 MR. HICKMAN: Good morning, Ms. Jarmon.

12 My name is James Hickman. I'm the  
13 executive managing director of ELU Incorporate,  
14 which does business as Point Breeze Pharmacy.  
15 That is operated in the Point Breeze community  
16 for over five years. Point Breeze Pharmacy is  
17 owned by Dr. Beynee, sole owner of the  
18 corporation. And then in 2016, Dr. Beynee  
19 established a second pharmacy at 19th and  
20 Snyder. Also serves the South Philly community.

21 This is Paul Badger, the owner of the  
22 Badger Group. And we are here today to discuss  
23 any questions you might have about the project,  
24 the affordable housing project which is a joint

1 venture between ELU, Incorporated and the Badger  
2 Group to be created to be developed at 1306-1312  
3 South 21st Street, which is approximately a  
4 block away from Point Breeze Pharmacy.

5 Going to turn over the mic to Mr. Badger  
6 for any questions that the Committee may have.

7 CHAIRMAN JARMON: Any questions from the  
8 Committee?

9 MR. KOONCE: What are you going to  
10 develop? You are going to build 24 units of  
11 affordable housing on these four lots?

12 MR. BADGER: The current plan now is 18  
13 units Paul badger.

14 MR. KOONCE: How much is that going to  
15 cost?

16 MR. BADGER: \$3.2 million is total  
17 development cost. That includes construction  
18 and --

19 MS. JOHNSON: Can I just clarify, this  
20 property, we previously reviewed this for  
21 pharmacy, right?

22 CHAIRMAN JARMON: Yes.

23 MS. JOHNSON: This is a change in the  
24 use.

1 CHAIRMAN JARMON: Change of proposal,  
2 yes.

3 MS. CUNNINGHAM: Also change in  
4 ownership, as well?

5 MS. JOHNSON: Ownership, as well.

6 CHAIRMAN JARMON: Yeah. It's a joint  
7 venture now.

8 MS. JOHNSON: Would this --

9 MR. PADILLA: The original is still  
10 involved in the ownership, but joint venture.

11 MS. CUNNINGHAM: If I remember  
12 correctly, the original entity issue they had is  
13 a bank wanted release and wasn't going to give  
14 funding without release; is that correct?

15 CHAIRMAN JARMON: We never got any  
16 financial information from them.

17 MS. JOHNSON: Was this fair market  
18 value?

19 CHAIRMAN JARMON: Originally, it was a  
20 LAMA value, which I want to say it was 94,000.

21 MS. MEDLEY: I think it was per. I  
22 think she wanted it at nominal. And there  
23 wasn't -- for whatever reason, they decided not  
24 to purchase it. Before it could go to

1 settlement, the City was requiring they provide  
2 proof of financing. And they had not done that.  
3 That's why it's been stalled since 2013.

4 CHAIRMAN JARMON: Right.

5 MS. JOHNSON: There was some concerns  
6 from Planning that the planner for this district  
7 feels that this isn't appropriate density for  
8 this site. That for this multi-use should be on  
9 Point Breeze. This is more single family here,  
10 smaller units. So, I just wanted to put that  
11 out there on the record.

12 MR. HUNTER: Do we have proof of  
13 financing now? Is that why --

14 MS. CUNNINGHAM: Commitment letter; is  
15 that correct?

16 MR. BADGER: Yes. We did include in the  
17 package a commitment letter.

18 MR. HUNTER: So I understand the history  
19 right, I think before when they were here last  
20 time because they wanted a nominal value, we go  
21 back to interagency Committee to look at for  
22 some sort of deed restriction for affordable  
23 housing. Now we are at fair market value of the  
24 sites that it interagency wouldn't be necessary?

1 MR. RODRIGUEZ: No, that's not the case.  
2 When you are saying affordable, you saying  
3 workforce housing or 80 percent and below?

4 MR. BADGER: Workforce housing. The  
5 current proposal is 60 percent workforce housing  
6 to 20 percent AMI. Then the remainder would be  
7 market rate.

8 MR. RODRIGUEZ: So, workforce housing  
9 comes with restriction of -- depending on are  
10 these condos or rentals?

11 MR. BADGER: Rentals.

12 MR. RODRIGUEZ: That would be in essence  
13 a 30-year restriction for workforce housing.  
14 And you are willing to agree to that  
15 restriction?

16 MR. BADGER: Yes.

17 MR. RODRIGUEZ: They could not rent it  
18 to anybody above 20 percent of AMI.

19 MR. PADILLA: 60 percent of the units.

20 MR. RODRIGUEZ: 60 percent of units.

21 MR. BADGER: Correct.

22 MR. RODRIGUEZ: The determination is if  
23 you, by order, they design workforce housing.  
24 If you are calling it workforce housing, you

1 would submit to those restrictions, correct?

2 And they would be also be submitting to an EOP  
3 plan as well upon closing.

4 MR. BADGER: Absolutely.

5 MR. RODRIGUEZ: That would attach, as  
6 well.

7 MS. JOHNSON: Would this be fair market?

8 MR. RODRIGUEZ: Even though they  
9 purchased it without subsidy, right, they would  
10 be -- they're stating they are doing affordable  
11 housing. So, they are self-selecting. In which  
12 case, all workforce housing restrictions apply.  
13 That's 30 years from the time of development.  
14 You are choosing to do rental, not home  
15 ownership or condos, correct?

16 MR. BADGER: Correct.

17 MR. RODRIGUEZ: Then that restriction  
18 would apply. EOP would attach because it's over  
19 a hundred thousand dollars.

20 MS. MEDLEY: But they are paying fair  
21 market value for the property.

22 MR. RODRIGUEZ: They are paying fair  
23 market value for the property, but selecting to  
24 deal with the restriction.

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1 MS. MEDLEY: Current fair market, not  
2 from 2014.

3 CHAIRMAN JARMON: Right. We would have  
4 to order appraisals.

5 MR. RODRIGUEZ: Are you aware of that?

6 MR. BADGER: Sorry. Didn't hear the  
7 comments.

8 MR. RODRIGUEZ: Here is my question.  
9 You have a letter of commitment from a bank  
10 based on what the assessment of the property, on  
11 the 2014 assessment or the LAMA value because  
12 you are talking about having it appraised.

13 CHAIRMAN JARMON: Right.

14 MR. RODRIGUEZ: Then they would have to  
15 go back to financing agency because that would  
16 change your numbers, wouldn't it?

17 MR. BADGER: Right. We pro form it at a  
18 nominal value. In order to include a percentage  
19 of 60 percent workforce housing, that subsidy  
20 would be necessary.

21 MR. RODRIGUEZ: You are getting a land  
22 subsidy?

23 MR. BADGER: Correct. The size of the  
24 project does not make it conducive or qualify

1 those cases for any type of tax credits. So,  
2 our request is that a nominal value acquisition  
3 they will be able to include that level of  
4 workforce housing to it.

5 MR. HUNTER: This isn't a nominal value  
6 transfer? It's not appraised?

7 MS. CUNNINGHAM: This nominal value.  
8 That is what you are asking for nominal value  
9 conveyance?

10 MR. BADGER: Correct.

11 MR. KOONCE: What's the number for the  
12 affordable? What's the number?

13 MR. BADGER: The affordable number?

14 MR. KOONCE: If they are going to be 11  
15 affordable and 7 market, correct?

16 MR. BADGER: Ten workforce, eight.

17 MR. KOONCE: That's not 60 percent.

18 MR. PADILLA: If you are doing 18, it's  
19 about 11 unit of workforce and the balance is  
20 market.

21 MS. JOHNSON: I think we would like to  
22 see more detailed plan financials if this is  
23 nominal.

24 MS. CUNNINGHAM: I'm not sure I'd call

1 this a commitment letter. It's really a letter  
2 of intent.

3 MR. KOONCE: That's about all you can  
4 get.

5 MS. CUNNINGHAM: I would like to note  
6 the lender would be okay with the restrictions  
7 and the deeds, as well.

8 MR. BADGER: The lender is aware of the  
9 intent of the project, and they are aware of the  
10 restrictions that would be included with it. We  
11 were not able to get a full letter of commitment  
12 at this juncture. It's just a little premature  
13 for the bank to be able to commit to that. But  
14 they are interested. And we do have several  
15 others, as well.

16 MR. RODRIGUEZ: The issue before this  
17 Committee is you're asking for more detail?

18 MS. JOHNSON: I think we would like to  
19 see a layout and arrangement of this since there  
20 is going to -- there is some concern with  
21 breakdown. Some portion we thought was going to  
22 be commercial and now zoned residential. Yes.

23 MR. RODRIGUEZ: When you say -- are you  
24 looking for bedroom like?

1 MS. JOHNSON: Don't we usually ask for  
2 requests in these types when doing nominal?

3 MR. RODRIGUEZ: We will be. I don't  
4 think we've the -- it's bit informal in the  
5 past. So we can ask. I want to just be  
6 specific as to what we are asking.

7 MS. JOHNSON: I think we would like to  
8 know exactly the unit count, what is going to be  
9 here, if it's all rental, the financials,  
10 verification that they are able to do this. And  
11 we are going to put a restriction on it.

12 MR. KOONCE: And then the financials are  
13 not yet what the rentals are going to be whether  
14 affordable.

15 MS. PLACKE: I don't see a rent schedule  
16 in here. There is no rent schedule.

17 MR. HUNTER: Other thing, too, this is a  
18 multifamily project. Most of the sites say  
19 single family. You have corner commercial  
20 property that is also -- we can do commercial.  
21 We have -- the zoning isn't necessarily  
22 conducive to multifamily project. This would be  
23 a variance to move forward.

24 And my concern is if we are transferring

1 property before this approval is in place, you  
2 might be left with these lots transferred and  
3 nothing happen because it was a variance issue.

4 MR. KOONCE: The other question for the  
5 me is why do you need property transferred as  
6 opposed to -- couldn't we just approve your  
7 appraisal and issue a letter of intent?

8 MR. BADGER: Contingent upon?

9 MR. KOONCE: To provide site control,  
10 which would allow you to go through zoning and  
11 finish your due diligence.

12 MR. RODRIGUEZ: The benefit of that is  
13 that by ordinance, this body can only give you  
14 12 months to develop it. You are going to need  
15 24. So once you assume the property, that clock  
16 ticks. And then you are only afforded 6 months  
17 after that. You are going to need 18 months  
18 just for development.

19 You do your predevelopment prior to  
20 assuming control of the property, you then can  
21 do all your due diligence if all you need is  
22 access to the site to do your GO tech, zoning,  
23 ZBA and all of that.

24 MR. HICKMAN: That's part of the reason

1 that this took a while since we were first  
2 before the Committee. Although, I don't know  
3 how many people understand or know about the  
4 history of the issues here. There were quite a  
5 few administrative issues that caused some  
6 significant delay, problems with title, problems  
7 with name change after.

8 CHAIRMAN JARMON: No.

9 MR. HICKMAN: Be back before the  
10 Committee.

11 MS. MEDLEY: Actually --

12 MR. HICKMAN: We waited and taken the  
13 time to make certain --

14 MS. MEDLEY: Excuse me. That's actually  
15 not accurate. I don't know when you came into  
16 the deal. I know Mr. Badger came in around  
17 January of this year; is that correct?

18 MR. BADGER: Yes, earlier this year.

19 MS. MEDLEY: Prior to that, when  
20 Ms. Hickman and Beli came in front of the  
21 Committee four years ago, they wanted at nominal  
22 and they wanted to do the pharmacy and I think  
23 senior housing above it. So then, there were  
24 some other issues.

1           And with regard to issues, I mean that  
2     it seemed one of the parties intent was to sell  
3     the property. And they actually had the buyer  
4     calling the City asking about the process in  
5     terms of selling the property to Mr. Hickman and  
6     Ms -- the City requested that they provide  
7     financing, proof of financing. What they wanted  
8     to do with the property.

9           We have been waiting for that since  
10    about 2015. It's not really -- it's inaccurate  
11    to says it's administrative issues. It's that  
12    the parties -- the proposed buyers were not  
13    clear about what they wanted to do.

14           MR. HICKMAN: I can certainly document  
15    and I can provide this to the Committee in terms  
16    of the -- I mean, this is just a small stack  
17    that provides a chain of communication between  
18    the various parties related to the delays that  
19    occur, which I would say had nothing to do with  
20    us. I mean, there was first the --

21           MS. MEDLEY: And by "us" do you mean Ms.  
22    Beynee and Mr. Badger and you're not including  
23    Mr. Hickman in that.

24           MS. BEYNEE: This is Mr. Hickman.

1 MS. MEDLEY: When you are referring to  
2 the communication you had with the Real Estate  
3 division of the Law Department?

4 MR. HICKMAN: Right. You are asking  
5 about --

6 MS. BEYNEE: Let me explain two things.  
7 The reason why the pharmacy is not going to be  
8 at the new building is because this process took  
9 a long time. And the pharmacy had to renew the  
10 lease. We had -- I had to sign another  
11 five-year lease or I had to move the pharmacy  
12 somewhere else. So then, not locked into  
13 another five-years lease that I can't get out.  
14 That's one reason.

15 And the other reason you are asking that  
16 we requested if we can pay for the land, was  
17 trying to expedite the process.

18 MR. HICKMAN: There is no written rule  
19 book. We were asking questions in trying to  
20 facilitate the process. And you know, there is  
21 nothing that says we should do this or this,  
22 this process should occur. And along the way,  
23 there was all of these related issues that arose  
24 that, you know, left us a little concerned as to

1 whether the process would even happen. And you  
2 have to respect the fact that there is money up  
3 front that has been committed to engineering  
4 designs, architecture. And so, there's a sense  
5 of, well, if this isn't going to happen, should  
6 we commit those capital?

7           And I mean, I like to emphasize you have  
8 a business that has been operating in Point  
9 Breeze for over five years. Has recommitted.  
10 You can say doubled down to the community by  
11 providing once-owned equity to buy a building at  
12 19th and Snyder and to establish a second  
13 pharmacy. Before Point Breeze moved to the  
14 Point Breeze section, there were no professional  
15 businesses in Point Breeze. I'm in the  
16 exaggerating. There is really only two there.

17           So, there is a real commitment, a very  
18 strong commitment to the --

19           MR. RODRIGUEZ: If I might, I think  
20 there are two issues. The Committee would like  
21 to have due diligence. It's not that we are  
22 stating we don't want to convey. We want to  
23 make sure there is certain structures, ordinant  
24 structural issues you have to be aware of. The

1 fact of the matter is, you only get 12 months to  
2 build and only a six-month extension. What we  
3 are proposing is actually to your benefit.

4 Now what we could do, if I could to the  
5 Committee, we make a motion on the letter of  
6 intent to convey. We assign a project manager  
7 to this, walk you through what you will need to  
8 actually make sure it's in compliance to work  
9 with Mr. Badger. And then present to the  
10 Committee. And then by that time, you will be  
11 in process. We will have the timetable.  
12 Because you still -- it will take you four to  
13 five months to get through ZBA.

14 If you are proposing, you know -- you  
15 are proposing a variance and all that, it's  
16 still going to take you a while. And this will  
17 eat into your 12 months for development.

18 Is that amenable?

19 MR. BADGER: Yes.

20 MR. RODRIGUEZ: I propose to the  
21 Committee that we approve a letter of intent,  
22 assign a project manager to do due diligence to  
23 present to this group for which case we will  
24 acquire all of the necessary items, elevations,

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1 financials, and also a new process in terms --  
2 new time frame in terms of getting approvals for  
3 ZBA and L&I.

4 MR. PADILLA: Just one question. Will  
5 there be a time constraint based on that letter?

6 MR. RODRIGUEZ: I think it would be six  
7 months. I assume there is a sense of urgency  
8 from what I am hearing. That if you get the  
9 letter of intent, which will give you site  
10 control, it will allow you to do your due  
11 diligence and GO tech, you should be on ZBA's  
12 board shortly. So, I would say six months  
13 because you also have holding costs. And your  
14 bank is not going to sit there forever.

15 MR. BADGER: Right.

16 MR. RODRIGUEZ: Six months.

17 MR. KOONCE: The letter of approval, I  
18 mean letter of intent would be subject to?

19 MR. RODRIGUEZ: Correct. It would allow  
20 them the ability to --

21 MR. KOONCE: No. Subject to?

22 MR. RODRIGUEZ: Submission of an  
23 application process, successful completion of an  
24 application to VPRC.

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1 MR. KOONCE: Come to this group before  
2 we convey?

3 MR. RODRIGUEZ: Correct.

4 MS. CUNNINGHAM: I will second that.

5 CHAIRMAN JARMON: All in favor?

6 (Ayes.)

7 CHAIRMAN JARMON: Any opposed?

8 (No opposition.)

9 CHAIRMAN JARMON: Nest items are Urban  
10 Garden Agreements. Are there any questions?

11 MR. HUNTER: I had one on 2902 Hancock.

12 CHAIRMAN JARMON: That's for side yards.

13 We on page --

14 MR. HUNTER: We going back to Side  
15 Yards?

16 CHAIRMAN JARMON: Shoot. I'm sorry.  
17 Side yards. Any questions?

18 MR. HUNTER: So now I have a question.

19 Did we get clarity on what they were  
20 doing with the fencing in lots there with the --

21 CHAIRMAN JARMON: Well, the said they  
22 were only using the one adjacent to them. That  
23 somebody else was using the other ones. They  
24 were privately owned. Then they sent me the

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1 license agreement, the agreement that they had  
2 for the business.

3 MR. HUNTER: Right.

4 CHAIRMAN JARMON: That is in force.  
5 That is --

6 MR. HUNTER: Are they going to separate  
7 the lot? It looks like -- it's in, all  
8 appearances, looks like one lot.

9 CHAIRMAN JARMON: They probably will put  
10 a fence down the middle of theirs. They didn't  
11 want to do that because they didn't own it.

12 MS. JOHNSON: Was there a vehicle  
13 parked?

14 CHAIRMAN JARMON: On the other one.

15 MS. CUNNINGHAM: On the one next to it.

16 MR. RODRIGUEZ: It's part of the side  
17 yard conveyance.

18 CHAIRMAN JARMON: Yeah. They live in  
19 there.

20 MR. RODRIGUEZ: They will have to fence  
21 it.

22 MS. CUNNINGHAM: She lives upstairs,  
23 right?

24 CHAIRMAN JARMON: Right. They do.

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1 MR. HUNTER: One other thing, that 2900  
2 North Hancock, has an \$895 tax balance for  
3 collections.

4 CHAIRMAN JARMON: We have the clearance,  
5 so they probably have an agreement.

6 MR. KOONCE: And it's not the homeowner.  
7 It's rental.

8 MS. CUNNINGHAM: Well --

9 CHAIRMAN JARMON: No, she owns the  
10 property.

11 MS. CUNNINGHAM: She has a rental  
12 license.

13 MR. KOONCE: She actually owns 2900.

14 CHAIRMAN JARMON: Yes. It's in her  
15 name. Yes.

16 MS. CUNNINGHAM: There is an old rental  
17 license. I think it's for the deli. But I  
18 think it's before she bought.

19 MS. JOHNSON: Is it still a corner  
20 store?

21 CHAIRMAN JARMON: It is.

22 Can I get a recommendation for the side  
23 yards?

24 MS. CUNNINGHAM: Motion to convey the

1 side yards at nominal.

2 MR. KOONCE: Second.

3 CHAIRMAN JARMON: All in favor?

4 (Ayes.)

5 CHAIRMAN JARMON: Any opposed?

6 (No opposition.)

7 CHAIRMAN JARMON: Next items are Urban  
8 Garden Agreements. Are there any questions?

9 MR. HUNTER: I have another question on  
10 this one. For 2455, 2457, as of May it looks  
11 like there were two structures on the lot  
12 currently. Like plywood, sheds, not necessarily  
13 sound construction. And there is no building  
14 permits issued for those.

15 Do you know if the applicant is going to  
16 clear the structure or get permit for them?

17 CHAIRMAN JARMON: Say that again.

18 MR. HUNTER: On those two lots now,  
19 there is two -- somebody has built structure out  
20 of plywood like sheds of some sort. This was as  
21 of May. That's the last time we have.

22 MR. RODRIGUEZ: With urban garden  
23 agreement, you are allowed to put a shed.

24 MR. HUNTER: That have an existing

1 garden agreement?

2 CHAIRMAN JARMON: They haven't gotten  
3 anything yet. They are here to be approved. If  
4 there is something on there, I will find out if  
5 they are the ones that did it. If they didn't,  
6 then it needs to be removed.

7 MR. HUNTER: Or they need permits for  
8 it.

9 CHAIRMAN JARMON: Okay. They have never  
10 used them. Any further questions on the Urban  
11 Gardens?

12 Can I get a recommendation?

13 MR. RODRIGUEZ: So moved.

14 MS. CUNNINGHAM: Second.

15 CHAIRMAN JARMON: All in favor?

16 (Ayes.)

17 CHAIRMAN JARMON: Any opposed?

18 (No opposition.)

19 CHAIRMAN JARMON: Next items are  
20 extension of time. I'm not sure if I invited  
21 the applicants because they sent me their  
22 permits or a letter stating or asking for the  
23 six-month extension. They are all attached.

24 You are here for W and W?

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1 (Applicant approached podium.)

2 CHAIRMAN JARMON: 315 North 41st and 49  
3 Wiota. State your name for the record.

4 MR. FULLARD: Good morning, Anthony  
5 Fullard.

6 MR. WALKER: Willie Walker.

7 MR. FULLARD: I believe the last time  
8 that we were before the Committee, we had to  
9 obtain the building permits. We have three out  
10 of the four in place. 5145, we are still going  
11 through the L&I process submittal. We have to  
12 go to Streets for another question from L&I.  
13 But outside of that, we have everything that  
14 requested us to have in place at this time.

15 CHAIRMAN JARMON: Are there any  
16 questions from the Committee?

17 MR. KOONCE: Are there any other  
18 outstanding properties?

19 MR. FULLARD: Excuse me?

20 MR. KOONCE: Do you have any other  
21 outstanding properties that we have conveyed?

22 MR. FULLARD: No. Nope.

23 MR. KOONCE: Thought I remembered  
24 something on Hazel Street.

1 CHAIRMAN JARMON: That's what he was  
2 just saying.

3 MR. RODRIGUEZ: In the process.

4 CHAIRMAN JARMON: Can I get a  
5 recommendation?

6 MS. CUNNINGHAM: Haven't we given  
7 extension on this already?

8 CHAIRMAN JARMON: It was six months ago.

9 MR. KOONCE: Doesn't the ordinance only  
10 allow one extension?

11 MR. RODRIGUEZ: Only allow one  
12 extension. We would be making an exception.

13 MR. KOONCE: In six months what's the --  
14 what's the process since the last time?

15 CHAIRMAN JARMON: Permits.

16 MR. RODRIGUEZ: What are your timeline  
17 after you gotten your zoning permits to commence  
18 construction?

19 MR. FULLARD: We are ready to start  
20 construction on 315 and 49 this week. We have  
21 the contractor ready to begin foundation work.  
22 Trying to get it in before the winter.

23 MS. CUNNINGHAM: When do you expect to  
24 finish?

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1 MR. FULLARD: Excuse me?

2 MS. CUNNINGHAM: When do you expect to  
3 finish?

4 MR. FULLARD: About six months. You  
5 know, between six to seven months.

6 MR. RODRIGUEZ: August of next year?

7 MR. FULLARD: Yes.

8 MR. RODRIGUEZ: I move that we grant the  
9 six-month extension. At the end of six months,  
10 look for a progress report on construction as  
11 well as producing the building permit.

12 MR. FULLARD: Okay.

13 MR. RODRIGUEZ: That will be in April.  
14 They should be 50 percent complete.

15 MR. FULLARD: Yeah.

16 MR. RODRIGUEZ: We should be closing in  
17 by now. Amend that to remove the permit issue  
18 on those properties.

19 MR. HUNTER: I will second it.

20 CHAIRMAN JARMON: All in favor?

21 (Ayes.)

22 CHAIRMAN JARMON: Any opposed?

23 (No opposition.)

24 CHAIRMAN JARMON: Thank you.

1 MR. FULLARD: Thank you.

2 CHAIRMAN JARMON: 623 Mercy. They have  
3 asked for an six-month extension.

4 MS. CUNNINGHAM: They keep getting  
5 refusals from Zoning.

6 MR. HUNTER: The last correspondence I  
7 found with L&I was they were asking questions  
8 about approvals from Streets or trying to put --  
9 they want to build right of way. They need  
10 Streets approval for that. They needed to  
11 answer if they want to get refusal for open air  
12 requirements.

13 It's unclear if they addressed those  
14 issues to the examiner yet and if they plan or  
15 applying for exam.

16 MS. JOHNSON: What is being built?

17 MR. HUNTER: I think it's single family.

18 CHAIRMAN JARMON: Single family.

19 MR. HUNTER: Also open violation. I was  
20 hoping the applicant would be here to ask them  
21 those questions.

22 MR. RODRIGUEZ: I move we table.

23 CHAIRMAN JARMON: I will table until  
24 next month.

1 MR. RODRIGUEZ: Have the questions  
2 submitted by the Committee and the developer for  
3 next month request their appearance.

4 MS. MEDLEY: What were the questions?

5 MR. HUNTER: If they resolved issues and  
6 accepted the refusal.

7 MR. RODRIGUEZ: Why don't we say we are  
8 looking for an action plan or resolving the  
9 zoning permit issue addressing all concerns by  
10 ZBA and the new timeline.

11 MR. HUNTER: I think they were trying to  
12 build a bay or something over the street.

13 MR. KOONCE: I honestly think Streets  
14 ran grant approval for them to build over the  
15 street without an ordinance.

16 MR. HUNTER: I think it's within 3 feet  
17 from the property line, they are allowed to  
18 that. But they haven't had anything.

19 MR. RODRIGUEZ: I think we should just  
20 leave it at approval from Streets Department and  
21 ZBA new timeline.

22 MR. PADILLA: Tabling it altogether.

23 MR. RODRIGUEZ: Have to show up next  
24 month.

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1 MR. KOONCE: Second.

2 CHAIRMAN JARMON: All in favor?

3 (Ayes.)

4 CHAIRMAN JARMON: Any opposed?

5 (No opposition.)

6 CHAIRMAN JARMON: 1319 South Dover  
7 Street. I have the permit attached that they  
8 finally got.

9 Can I get a recommendation for a  
10 six-month extension.

11 MR. KOONCE: Why?

12 CHAIRMAN JARMON: Huh?

13 MR. KOONCE: Why?

14 CHAIRMAN JARMON: They just got their  
15 permit.

16 MR. RODRIGUEZ: They are well over  
17 their -- this was conveyed in April of 2016.  
18 Only have 12 months to develop. So, they need a  
19 six month.

20 MR. KOONCE: They just got their permit.  
21 They are not going to be through in six months.

22 MR. RODRIGUEZ: They have to come back  
23 in six months.

24 MS. CUNNINGHAM: Do we know if they have

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1 begun construction?

2 CHAIRMAN JARMON: No.

3 MS. CUNNINGHAM: Because their permits  
4 were September 18.

5 MR. RODRIGUEZ: Request we have an  
6 inspector go out to take pictures of  
7 construction progress. Can we table it until we  
8 see pictures?

9 CHAIRMAN JARMON: What's the  
10 recommendation?

11 MR. RODRIGUEZ: The recommendation is  
12 that we give them six-month extension, and that  
13 we have inspector go to the site and take  
14 pictures of their construction progress. If  
15 there is no construction progress, requesting  
16 that they come to the next VPRC meeting and  
17 provide a new construction plan.

18 MS. CUNNINGHAM: Second.

19 CHAIRMAN JARMON: All in favor?

20 (Ayes.)

21 CHAIRMAN JARMON: Any opposed?

22 (No opposition.)

23 CHAIRMAN JARMON: 3474 Braddock.

24 MR. HUNTER: Do we have any information

1 about this property in terms of where they are  
2 in receiving permits or in the permit process?  
3 Seem pretty -- I mean, said they are rehabbing a  
4 building. But I didn't see any.

5 MS. CUNNINGHAM: I am a little confused.  
6 She said purchased at sheriff auction.

7 CHAIRMAN JARMON: They probably made a  
8 mistake. They got it from us.

9 MS. JOHNSON: There is construction  
10 going on.

11 MR. HUNTER: Looks like something is  
12 going on.

13 CHAIRMAN JARMON: I think they have the  
14 permits. What's the recommendation?

15 MS. CUNNINGHAM: They did something at  
16 some point in November. They issued a non-safe  
17 order.

18 MR. RODRIGUEZ: When was permit renewed?

19 MS. CUNNINGHAM: Says they can provide a  
20 copy of the permit. I didn't want see one  
21 online.

22 MS. PLACKE: They didn't have them yet.

23 MS. CUNNINGHAM: They don't have them  
24 yet?

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1 MR. KOONCE: Is this fair market value?

2 MS. PLACKE: Says fair market pulled.

3 MR. RODRIGUEZ: Is this fair market  
4 value?

5 CHAIRMAN JARMON: Yeah.

6 Recommendation, please.

7 MR. KOONCE: My problem with it is, they  
8 say in their letter they can provide a copy of  
9 the permit, and then I am hearing there is no  
10 permit.

11 MS. CUNNINGHAM: We should table it and  
12 have them come next month with the permits and  
13 make a decision then.

14 MR. KOONCE: Okay.

15 MS. CUNNINGHAM: So moved.

16 MR. RODRIGUEZ: Second.

17 CHAIRMAN JARMON: All in favor?

18 (Ayes.)

19 CHAIRMAN JARMON: Any opposed?

20 (No opposition.)

21 CHAIRMAN JARMON: Next item --

22 MR. DODDS: Excuse me. There are two  
23 properties at the bottom of page 2.

24 CHAIRMAN JARMON: Side yards, all were

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1 passed at the same time.

2 Next item on page 4, 2935-65 North 2nd  
3 Street. Property to be transferred from Land  
4 Bank to HACE.

5 Can I get a recommendation?

6 MR. KOONCE: Motion to approve.

7 MR. HUNTER: Second.

8 CHAIRMAN JARMON: All in favor?

9 (Ayes.)

10 MR. RODRIGUEZ: Recusal.

11 MS. PLACKE: Recusal.

12 CHAIRMAN JARMON: Any opposed?

13 (No opposition.)

14 CHAIRMAN JARMON: Next item, 2570 Napa  
15 Street.

16 MS. MEDLEY: Okay. So, we just wanted  
17 to bring this to the attention of the Committee.

18 On 2570 Napa Street was transferred to Amina  
19 Sheppard in 2014. And the situation with this  
20 particular property is that -- I will try to  
21 give you an overview of it.

22 The City received the property in  
23 September of 1984 via sheriff's deed. In July  
24 of 2007, Mr. White appeared at VPRC meeting

1 stating that he wanted to purchase the property.  
2 He stated at that time that he had already spent  
3 significant amount of money making repairs to  
4 the property. It was noted that he did not have  
5 an entry authorization from the City. The  
6 Committee recommended to table the matter until  
7 the property could be inspected.

8           When the City went out to inspect the  
9 property in October of 2007, they found there  
10 had been some renovations made to the property.  
11 The City requested Mr. White to provide it with  
12 documentation regarding the cost of the  
13 renovations that he had made. He never provided  
14 the City with that documentation. It was listed  
15 again in front of the VPRC -- oh, sorry, was  
16 never listed again after the City had visited  
17 inspected the property and found that there had  
18 been renovations made.

19           In 2009, the City went back out to  
20 inspect and found that he was -- Mr. White was  
21 operating a barbershop from that property.  
22 Subsequent thereto, the City sent a letter to  
23 Mr. White via regular certified mail informing  
24 him that the City was aware he was operating the

1 business at that address without authorization,  
2 and he was to vacate the property. The City  
3 also requested that he contact the City by  
4 March 12. He never did.

5 The City sent another letter in  
6 October 2010 via regular certified mail. Again,  
7 asking him to cease his business at that  
8 location, and that we would establish a price  
9 for the building. And then -- was also told any  
10 money already spent in renovating the property,  
11 that the City would not offset the cost of  
12 property with that because he did not have the  
13 proper authorization to do the property at that  
14 time.

15 Mr. White never returned to the City or  
16 provided any documentation that had been  
17 requested previously. When the City went back  
18 out in June 2013, they found it was still being  
19 used as a barbershop. In May 2014, the  
20 Commission of Public Properties sent a demand  
21 for possession and notice for water shutoff to  
22 the location and sent to Mr. White.

23 Again, the property was inspected.  
24 Although at that time, the City found Amina

1 Sheppard was occupying the second floor of the  
2 property and that the first floor was empty,  
3 meaning it was no longer be operated as a  
4 barbershop. She was instructed to come to the  
5 VPRC office and submit application for the  
6 property if she wanted to. She did that on  
7 July 8 of this year sorry, that year 2014.

8 She came in front of the Committee. And  
9 the Committee voted to recommend that the  
10 property be transferred to her. In August 5 of  
11 2015, the property was transferred to Ms.  
12 Sheppard. Ms. Sheppard -- when inspector went  
13 out to the property and found her there,  
14 discovered that Ms. Sheppard was Mr. White's  
15 daughter. And that he had allowed her to live  
16 in the property at that time.

17 When Mr. White found out Ms. Sheppard  
18 had purchased the property, he commenced suit  
19 against her saying -- did not include the City  
20 in that suit stating that she had fraudulently  
21 induced the City to sell the property to her.  
22 Because she did not respond, the Court ended up  
23 entering a judgment against her and ordering  
24 that -- at some point, she did file an appeal.

1 And somehow it was late, but somehow the appeal  
2 went through. Then again, Mr. White and his  
3 attorney had the Court issue an order, had the  
4 appeal dismissed for failure to follow  
5 appropriate response.

6 And the court ordered on September 26 of  
7 this year, the court ordered that the deed to  
8 Ms. Sheppard was stricken. And that the --  
9 variety of other things. Commissioner of  
10 records was directed to vacant and lift any  
11 deeds on the property. And also states that the  
12 commissioner of record -- I am just reading what  
13 the order is -- directed to record a deed to  
14 said property for Mr. White.

15 So in between all of that, we thought  
16 that we would be able to bring it back into VPRC  
17 to get -- to just basically redo that. We knew  
18 the deed had been stricken. Unfortunately,  
19 Ms. Sheppard had financial problems in lieu of  
20 taxes due on the property. While we are waiting  
21 for her to clear that, the appeal process went  
22 through. This is where we are at right now.

23 Any questions?

24 MR. RODRIGUEZ: So --

1 MS. CUNNINGHAM: So many questions.

2 MR. RODRIGUEZ: There is still a  
3 question as to the first party Mr. White being  
4 able to occupy the property, correct?

5 CHAIRMAN JARMON: He squatted in the  
6 property. He just went in there. He didn't  
7 have any papers or anything.

8 MR. RODRIGUEZ: So is my understanding  
9 clear that this legal proceeding only served to  
10 void her application for disposition?

11 MS. MEDLEY: Her deed. She paid for the  
12 property, but they voided the deed to her.

13 MR. RODRIGUEZ: But that doesn't in turn  
14 mean Mr. White gets the property?

15 MS. MEDLEY: It does not. That's  
16 correct. Well, the court order for the  
17 Commissioner of Record to record a deed for the  
18 property. But he -- where Mr. White gets --

19 MR. RODRIGUEZ: The deed would then be  
20 required -- I guess my second question is, if  
21 the deed is to be recorded with the deed of  
22 records, is the City's position that that deed  
23 should be filed subject to or reverted back to  
24 the City inventory?

1 MS. MEDLEY: I can't say. I don't know  
2 the exact process. But by them striking the  
3 deed, it's basically back to PRA. Because the  
4 deed from PRA to Ms. Sheppard is void.

5 MR. RODRIGUEZ: But there is no deed to  
6 Mr. White.

7 MS. MEDLEY: No, there is not.

8 MR. RODRIGUEZ: We are proceeding with  
9 an objective on the property against Mr. White?

10 MS. MEDLEY: He is not there.

11 MR. RODRIGUEZ: They are all gone, the  
12 barbershop is gone?

13 CHAIRMAN JARMON: Never was afterwards  
14 once we processed hers. Nothing on the first  
15 floor.

16 MS. MEDLEY: We are not exactly clear.

17 CHAIRMAN JARMON: She purchased the  
18 property.

19 MS. MEDLEY: I believe that she, at some  
20 point, moved out. And possibly moved out  
21 because Mr. White had went to the home telling  
22 her she had four days to leave.

23 MR. RODRIGUEZ: Here is another  
24 question. This judgment, it effectively ends

1 her application process and the conveyance of  
2 the deed?

3 MS. MEDLEY: The conveyance of the deed.

4 MR. RODRIGUEZ: Wouldn't it be  
5 appropriate for this body to give an extension  
6 of time? Shouldn't she just reapply for the  
7 property?

8 CHAIRMAN JARMON: That's what we.

9 MS. MEDLEY: That's what the plan was,  
10 but she needed to clear her taxes. She did do  
11 that, but she didn't come back to the City. She  
12 didn't come back yet.

13 MR. RODRIGUEZ: But before this group,  
14 we are supposed to be affording an extension of  
15 time where I would say that a judgment kind of  
16 ends that. So, she got the property. That  
17 disposition was voided by the judge. So  
18 therefore, there is no extension of time.

19 That property should be reverted back to  
20 City inventory. In which case, if she wanted to  
21 reapply for that property, it would be a brand  
22 new process. Not an extension of time.

23 MS. MEDLEY: Right. This isn't here for  
24 an extension of time. It's for discussion just

1 to kind of make the body aware that that's where  
2 we are at with that property. It may need to  
3 come back if it is appropriate.

4 MR. KOONCE: How long does she have to  
5 pay the taxes?

6 MS. MEDLEY: A little under a year.

7 CHAIRMAN JARMON: She's up-to-date.

8 MS. MEDLEY: She paid them now. But at  
9 the time they thought we were bringing -- the  
10 City received information about when it happened  
11 with the initial case. Found she had back  
12 taxes. We are waiting for her to resolve them.

13 MR. RODRIGUEZ: Still a new application?  
14 Wouldn't it be better for her just to have a new  
15 application?

16 MS. MEDLEY: It would be yes, if that's  
17 possible. Think right now can you reenter it  
18 into the system and start over again? Right now  
19 it's -- there is no --

20 MR. RODRIGUEZ: History is not in your  
21 inventory unless -- that was my question. If  
22 there is a judgment, that it voids the deed,  
23 then it would go back to PRA. That issue  
24 becomes is it back in VPRC inventory? Then it

1 would have to transfer to PRA back to VPRC. Or  
2 are we suggesting --

3 CHAIRMAN JARMON: RDA to transfer it out  
4 to her.

5 MR. RODRIGUEZ: Which PRA has their own  
6 process. Would go through PRA for them to do  
7 due diligence.

8 MS. CUNNINGHAM: Or the City exercises  
9 the reversionary right and that goes to VPRC  
10 inventory.

11 MR. KOONCE: Were we paying her certain  
12 amount of purchase price?

13 MR. PADILLA: Why wouldn't repay when  
14 she technically obtained the property through  
15 fraudulent --

16 MS. MEDLEY: She didn't. That is just  
17 what he claimed because she didn't offer any  
18 defense. There is nothing else, but she did  
19 not.

20 CHAIRMAN JARMON: She applied for it.

21 MR. RODRIGUEZ: Here is the other  
22 question. Price of the property, I would  
23 suggest we reach out to her and see if she is  
24 willing to put that money into escrow.

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1 CHAIRMAN JARMON: What money?

2 MS. CUNNINGHAM: Why would we give it  
3 back?

4 MR. RODRIGUEZ: Assuming it's a new  
5 application.

6 CHAIRMAN JARMON: She shouldn't have to  
7 pay for it.

8 MS. CUNNINGHAM: Do at nominal.

9 CHAIRMAN JARMON: She paid for it. Why  
10 should she pay more.

11 MS. MEDLEY: She paid that money.

12 MS. CUNNINGHAM: We wouldn't get it  
13 back. We would reconvey at nominal rather than  
14 giving it back.

15 MR. RODRIGUEZ: That is what she is owed  
16 the creditor.

17 CHAIRMAN JARMON: Say that again?

18 MR. RODRIGUEZ: Wouldn't she be owed  
19 credit if she did not receive the property.

20 MS. MEDLEY: She did receive the  
21 property. She was living in it until --

22 MS. CUNNINGHAM: She had this whole  
23 separate issue really didn't have anything to do  
24 with us.

1           MR. KOONCE:  If we start a new  
2 application, we are going to have to go by  
3 conveyance rules.  And we are going to -- I  
4 assume the property is only worth 3,000, needs  
5 substantial repair.

6           MS. MEDLEY:  She did make some  
7 renovations to the property.

8           MR. RODRIGUEZ:  If the ownership reverts  
9 back to VPRC, right, and it's a new application.  
10 This is my question to the Committee.  Is that  
11 if she puts it in escrow, assume that she should  
12 get paid back, it's in escrow.  We convey it  
13 back out at the same price.

14           MS. JOHNSON:  How long is it going to  
15 take for it to come back and do all of that?

16           MR. RODRIGUEZ:  That's internal  
17 administrative.  Would be about filing a fee.  
18 The question I have, is the judge assuming in  
19 his judgment that it would go to Mr. White?  In  
20 which case, that is problematic because he  
21 shouldn't be on the title because he never --

22           CHAIRMAN JARMON:  Right.

23           MR. RODRIGUEZ:  We need to clarify  
24 whether the judge intended for Mr. White to

1 acquire the property. Because the City has to  
2 assert its rights to acquire the property. He  
3 would be fraudulent.

4 MS. CUNNINGHAM: Here is the issue with  
5 this. Is that the judge ordered that all liens  
6 and other encumbrances attached be lifted.

7 MS. MEDLEY: That occurred from the time  
8 she had the property.

9 MS. CUNNINGHAM: Which are our  
10 restrictions. That's encumbrance to the  
11 property. And the judge's order effectively  
12 released the restrictions.

13 MR. RODRIGUEZ: Right. But that  
14 wouldn't matter because she would be void her  
15 deed. Transaction is void, therefore the  
16 restriction would be void. It starts new. The  
17 issue becomes, does she have a statement to  
18 make, a claim to make and not end up --

19 MS. CUNNINGHAM: Also directs the  
20 commissioner to record a deed to James White,  
21 which in a quiet title action normally the  
22 commissioner will be the grantor of the deed.  
23 And the person give the order to the grantee and  
24 they will record the deal to Mr. White.

1 MS. MEDLEY: So --

2 MS. JOHNSON: She get her money back?

3 MS. CUNNINGHAM: No. She didn't defend.  
4 The judge gave no consideration to any of her  
5 arguments because she didn't defend the sui.

6 MR. RODRIGUEZ: Right. We are a party  
7 to the suit.

8 MS. MEDLEY: We are not.

9 MR. RODRIGUEZ: But in essence, we have  
10 standing.

11 MS. JOHNSON: If we void the deed --

12 MS. CUNNINGHAM: The Judges order struck  
13 the deed.

14 MS. MEDLEY: What -- if the Committee is  
15 inclined to see if it's possible for the City to  
16 reconvey the property to her, would just like to  
17 get an agreement on that. And then we can look  
18 into --

19 MR. RODRIGUEZ: I think it's really  
20 important, because I am assuming this os moving  
21 quickly. If you remove the restriction and  
22 convey to Mr. White, Mr. White can turn around  
23 and sell that property for whatever.

24 MS. CUNNINGHAM: It's already been

1 conveyed to Mr. White.

2 MR. RODRIGUEZ: That's a problem.

3 MS. CUNNINGHAM: Conveyance happens when  
4 the offer is signed, not when recorded. Mr.  
5 White effectively already owns this property.

6 Title is in his name because title changes once  
7 the document is signed when it's in order.

8 MR. RODRIGUEZ: That's a problem. City  
9 has to assert its standing.

10 MS. CUNNINGHAM: City has to make a  
11 claim, a new claim or appeal this.

12 MR. RODRIGUEZ: I think that's the first  
13 step.

14 CHAIRMAN JARMON: Okay. What do we do?

15 MS. MEDLEY: We will contact the City's  
16 appeals about this.

17 CHAIRMAN JARMON: Can I get a  
18 recommendation?

19 MR. RODRIGUEZ: Recommendation is that  
20 the Law Department, whatever appropriate City  
21 Law Department be notified, that they should  
22 assert their claim to the property.

23 CHAIRMAN JARMON: Second?

24 MS. CUNNINGHAM: Sure, second.

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1 CHAIRMAN JARMON: All in favor?

2 (Ayes.)

3 CHAIRMAN JARMON: Any opposed?

4 (No opposition.)

5 CHAIRMAN JARMON: I think the next 2455  
6 Carlisle, this is the wrong picture here. This  
7 is a lot that was transferred out to this  
8 applicant in 1988 as a side yard. I have a  
9 picture at the job. I don't have it right here.

10 MR. RODRIGUEZ: Carlisle is a side yard.

11 CHAIRMAN JARMON: It was a side yard.

12 Can I get a recommendation?

13 MR. RODRIGUEZ: Looks like it has a  
14 fence and --

15 CHAIRMAN JARMON: That's not the right  
16 picture period. That is across the street, but  
17 it was transferred as a side yard in 1988.

18 Can I get a recommendation?

19 MS. CUNNINGHAM: It's cleaned and --

20 CHAIRMAN JARMON: Yeah, it is. For some  
21 reason, she attached the wrong picture.

22 MR. RODRIGUEZ: Move that we approve  
23 subject to recent picture, correct recent  
24 picture.

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1 MS. CUNNINGHAM: Second.

2 CHAIRMAN JARMON: All in favor?

3 (Ayes.)

4 CHAIRMAN JARMON: Any opposed?

5 (No opposition.)

6 CHAIRMAN JARMON: Next item, 1247 South  
7 53rd Street. This was a single family dwelling  
8 back in 1981.

9 (Applicant approached podium.)

10 CHAIRMAN JARMON: State your name for  
11 the record.

12 MR. JACKSON: Amir Jackson.

13 CHAIRMAN JARMON: You are?

14 MR. JACKSON: The buyer.

15 MR. RODRIGUEZ: You're the buyer?

16 MR. JACKSON: Yes.

17 MR. RODRIGUEZ: Would you happen to know  
18 the last time this property was occupied?

19 MR. JACKSON: It's still occupied.

20 CHAIRMAN JARMON: Do you have settlement  
21 scheduled?

22 MR. JACKSON: We had settlement  
23 scheduled initially for yesterday, but we were  
24 unaware of the deed restrictions.

1 CHAIRMAN JARMON: It's possible we can  
2 rush this release. He had settlement yesterday  
3 reschedule, he had to reschedule the settlement  
4 on this property.

5 MR. KOONCE: Was it nominal?

6 CHAIRMAN JARMON: It was back then.

7 MR. KOONCE: Gets the current owner --  
8 gets to -- it's been ten years, I guess.

9 MS. CUNNINGHAM: I am going to move  
10 to --

11 MR. RODRIGUEZ: Hold on. There are  
12 taxes on it.

13 CHAIRMAN JARMON: They have to pay the  
14 taxes.

15 MR. RODRIGUEZ: Purchase price is  
16 25,000.

17 MR. JACKSON: My contract I'm subject to  
18 taxes.

19 MR. RODRIGUEZ: Taxes are totally  
20 40-something thousand.

21 MS. CUNNINGHAM: I'm going to need a  
22 settlement sheet before we give you release.

23 MR. JACKSON: A new settlement sheet?

24 MS. CUNNINGHAM: Are you using a title

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1 company?

2 MR. JACKSON: Yes.

3 MS. CUNNINGHAM: Okay.

4 MR. JACKSON: I have a settlement sheet  
5 that for yesterday, but I guess I would have  
6 to --

7 MS. CUNNINGHAM: But the sales price is  
8 \$25,000.

9 MR. JACKSON: Yes.

10 MS. CUNNINGHAM: The taxes are over  
11 \$40,000.

12 MR. JACKSON: They are going to come out  
13 of the banks for rehab. They are going to be  
14 paid directly to the City.

15 MS. CUNNINGHAM: When?

16 MR. JACKSON: Out of construction.

17 MR. RODRIGUEZ: If settlement already  
18 occurred yesterday --

19 MR. JACKSON: No. Settlement hasn't  
20 occurred.

21 CHAIRMAN JARMON: He said they had to  
22 reschedule.

23 MS. CUNNINGHAM: When are they going to  
24 pay the taxes? After settlement?

1 MR. JACKSON: After settlement, yes.

2 MS. CUNNINGHAM: We're not going to  
3 be able -- we can probably give a letter that is  
4 contingent upon that, but I can't give you a  
5 release.

6 MR. JACKSON: I would take -- I am  
7 taking responsibility of the taxes.

8 CHAIRMAN JARMON: At the time of  
9 settlement?

10 MR. JACKSON: Yes.

11 CHAIRMAN JARMON: It's going to be paid  
12 then?

13 MR. KOONCE: You are going to pay the  
14 taxes at settlement?

15 MR. JACKSON: No. When I get  
16 construction loan -- once the construction loan  
17 comes, could be taxes will be paid out of that.

18 MR. RODRIGUEZ: You can't assume the tax  
19 liability, sir. You have to settle them.

20 MR. JACKSON: I can't assume the tax  
21 liabilities?

22 MS. CUNNINGHAM: Well, you can. In this  
23 case, we can't give you a release to the  
24 reversionary restrictions until the taxes have

1 been satisfied.

2 MR. JACKSON: Okay. So, once the taxes  
3 are satisfied --

4 MS. CUNNINGHAM: All of them. I can't  
5 have -- we can't have half of them paid and then  
6 half of them you say I will be responsible for.  
7 They all have to be paid before we can give you  
8 a release.

9 MR. JACKSON: Okay. Once they are  
10 satisfied, I would have to, I guess, back on for  
11 another hearing.

12 MR. RODRIGUEZ: Your title company  
13 should tell you what your liability is.

14 MR. JACKSON: Okay.

15 MS. CUNNINGHAM: But you don't have to  
16 come back. We can make it contingent upon  
17 satisfaction of paying all that, so you don't  
18 have to come back.

19 CHAIRMAN JARMON: Right.

20 MR. JACKSON: Okay.

21 MS. CUNNINGHAM: Move that we grant the  
22 release or the certificate of completion  
23 contingent upon all municipal obligations being  
24 satisfied.

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1 MR. HUNTER: Second.

2 CHAIRMAN JARMON: All in favor?

3 (Ayes.)

4 CHAIRMAN JARMON: Any opposed?

5 (No opposition.)

6 CHAIRMAN JARMON: Thank you.

7 5822 Belmar Terrace. This was  
8 transferred as a single family dwelling back in  
9 1983.

10 Can I get a recommendation?

11 MR. HUNTER: This applicant also has  
12 back taxes of \$1,800.

13 CHAIRMAN JARMON: Okay.

14 Recommendation?

15 MR. RODRIGUEZ: Convey upon provision  
16 that they pay their back taxes --

17 MR. KOONCE: -- all municipal  
18 obligations.

19 CHAIRMAN JARMON: Second?

20 MR. RODRIGUEZ: Second.

21 CHAIRMAN JARMON: All in favor?

22 (Ayes.)

23 CHAIRMAN JARMON: Any opposed?

24 (No opposition.)

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1 CHAIRMAN JARMON: Next item, 5507  
2 Beaumont. The applicant purchased this property  
3 in 2014.

4 MR. HUNTER: Sorry. My last comment was  
5 about this property -- was for this property,  
6 not the last one.

7 CHAIRMAN JARMON: On the taxes was this  
8 one?

9 MR. HUNTER: Yeah. Sorry.

10 CHAIRMAN JARMON: Okay.

11 MR. PADILLA: The \$1,800 is on this one?

12 MS. JOHNSON: Do we need to revise?

13 MR. DODDS: Can I ask a question? When  
14 we vote to approve yes or no, do we need to  
15 mention the taxes, or is that just part of the  
16 deal?

17 MS. CUNNINGHAM: No. I check it  
18 regardless.

19 CHAIRMAN JARMON: They have to pay  
20 before.

21 MR. RODRIGUEZ: Just better.

22 MS. CUNNINGHAM: Think more than one  
23 person checks it regardless.

24 CHAIRMAN JARMON: Can I get a

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1 recommendation on 5507 Beaumont?

2 MR. RODRIGUEZ: I recommend that we --

3 MR. KOONCE: Wait a minute. Can't tell  
4 from this, was this a fair market?

5 CHAIRMAN JARMON: It was a fair market  
6 value in 2014.

7 MR. KOONCE: Are there any violations?

8 CHAIRMAN JARMON: I don't know.

9 MS. CUNNINGHAM: Not that I found. Just  
10 the outstanding taxes.

11 MR. KOONCE: Motion to approve.

12 MS. CUNNINGHAM: Second.

13 MR. RODRIGUEZ: Contingent on paying  
14 municipal.

15 CHAIRMAN JARMON: All in favor?

16 (Ayes.)

17 CHAIRMAN JARMON: Any opposed?

18 (No opposition.)

19 MR. RODRIGUEZ: Madam Chair, can I make  
20 a motion we stipulate all conveyances for  
21 certificates of completion from this day forward  
22 be contingent on paying and satisfying all  
23 municipal issues.

24 MS. CUNNINGHAM: Second.

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1 CHAIRMAN JARMON: All in favor?

2 (Ayes.)

3 CHAIRMAN JARMON: 2646 Livingston. This  
4 was a side yard back in '95.

5 MR. RODRIGUEZ: Is this a correct  
6 picture? Is this the correct picture?

7 CHAIRMAN JARMON: It is.

8 MR. RODRIGUEZ: I would say if this  
9 property was not --

10 CHAIRMAN JARMON: I think it's two lots  
11 there.

12 MR. RODRIGUEZ: If this property was not  
13 rezoned for parking --

14 CHAIRMAN JARMON: This was transferred  
15 in 1995 as a side yard, and they are in the  
16 process of selling.

17 MS. CUNNINGHAM: He says he does not  
18 want to sell.

19 CHAIRMAN JARMON: Oh, he doesn't want to  
20 sell.

21 MR. PADILLA: That's correct.

22 CHAIRMAN JARMON: He owns both of them,  
23 44 and 46.

24 MR. KOONCE: Problem is been using it as

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1 side yard for 10 or 15 years. We are going to  
2 ask him to honor everything.

3 MR. RODRIGUEZ: There is no impetus to  
4 give us --

5 MR. KOONCE: What are we going to ask  
6 him to do?

7 MR. HUNTER: Parking vehicle on the lot.

8 MS. CUNNINGHAM: She can go back and get  
9 one, right?

10 MR. RODRIGUEZ: Should be rezoned.

11 CHAIRMAN JARMON: What's the  
12 recommendation?

13 MR. HUNTER: I will make a motion that  
14 the subject to producing a valid use permit,  
15 issue the certificate of completion.

16 MR. KOONCE: Second.

17 CHAIRMAN JARMON: All in favor?

18 (Ayes.)

19 CHAIRMAN JARMON: Any opposed?

20 (No opposition.)

21 CHAIRMAN JARMON: Thank you.

22 1937 East Sergeant. This was a single  
23 family dwelling.

24 Can I get a recommendation?

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1 MR. RODRIGUEZ: So moved.

2 MR. HUNTER: Second.

3 CHAIRMAN JARMON: All in favor?

4 (Ayes.)

5 CHAIRMAN JARMON: Any opposed?

6 (No opposition.)

7 CHAIRMAN JARMON: 2332 and 2334 Mutter

8 Street. Two lots transferred back in 1996.

9 (Applicant approached podium.)

10 MR. ALLEN: I knew I saw you didn't see

11 me. I was trying to sneak behind you.

12 CHAIRMAN JARMON: How you doing?

13 MR. ALLEN: How is everybody doing?

14 CHAIRMAN JARMON: Good.

15 MR. ALLEN: Got to wake up.

16 CHAIRMAN JARMON: State your name for

17 the record.

18 MR. ALLEN: Wayne Allen.

19 CHAIRMAN JARMON: You are the current

20 owner?

21 MR. ALLEN: No. I work for the company

22 buying the property from Madonado. He couldn't

23 make it. He can't walk.

24 (At this time, Ms. Placke exits the proceedings.)

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1                   CHAIRMAN JARMON: These two lots were  
2 transferred back in 1996. He is here to get the  
3 release.

4                   MS. CUNNINGHAM: Move we grant the  
5 certificate of completion contingent upon  
6 cleaning the lots.

7                   MR. PADILLA: Second.

8                   MR. ALLEN: I can't hear what you say.

9                   MS. CUNNINGHAM: Lots needs to be  
10 cleaned.

11                  MR. ALLEN: Before they can be  
12 transferred?

13                  MS. CUNNINGHAM: Yes. The release is  
14 contingent upon the lots being cleaned, and  
15 photographic evidence being sent to the chair.

16                  MR. ALLEN: Just needs to cut the grass?

17                  CHAIRMAN JARMON: Yes.

18                  MS. CUNNINGHAM: And pick up the --

19                  MR. PADILLA: There are some structure,  
20 debris there.

21                  MR. ALLEN: Okay.

22                  MR. KOONCE: When you buy the property,  
23 what are you planning to do with it?

24                  MR. ALLEN: So, my company is assigning

1           it to another party. I am sure he wants to buy  
2           it because it's not much construction on that  
3           block right now. But down the line, I am sure  
4           he wants to build something there.

5                    MS. CUNNINGHAM: You are speculating on  
6           it?

7                    MR. ALLEN: I am assuming that's his  
8           intent.

9                    MR. KOONCE: While you are speculating,  
10          fix the fence.

11                   MR. ALLEN: I really can't hear you.

12                   MR. KOONCE: Could you address the fence  
13          as well as the yard?

14                   MR. ALLEN: I can recommend that  
15          Mr. Madonado whatever you would like to have at  
16          this time cleared. You want all the debris,  
17          vegetation, fences tore down so it can be  
18          construction site?

19                   MR. RODRIGUEZ: No.

20                   MR. KOONCE: What is required is that  
21          the fence be placed that meets L&I standards.

22                   MR. ALLEN: Okay. Or removal.

23                   MR. RODRIGUEZ: You acquired it, has to  
24          fence it.

1 CHAIRMAN JARMON: He is saying he is  
2 going to develop.

3 MS. CUNNINGHAM: He is holding it.

4 MR. RODRIGUEZ: He is acquiring it. He  
5 is going to sell it to a third party. They are  
6 going to hold until the real estate market  
7 shifts.

8 MR. ALLEN: I don't know if he is going  
9 to start construction tomorrow. Would say I  
10 assume.

11 MR. RODRIGUEZ: At this point,  
12 conveyance is to you or Mr. Madonado, correct?

13 MR. ALLEN: Being conveyed directly to  
14 the final buyer.

15 MR. RODRIGUEZ: The final buyer, if they  
16 are not developing in the immediate time frame,  
17 we have to move this fence and put an  
18 appropriate fence in.

19 MR. ALLEN: But that's after --

20 CHAIRMAN JARMON: You're saying once  
21 they purchase it from them.

22 MR. ALLEN: That's fine.

23 MR. KOONCE: No. We are saying prior to  
24 issuing the release.

1 MR. ALLEN: The release can't be done  
2 until the property is transferred?

3 MR. KOONCE: The release can't be done  
4 until the fencing and lot have been addressed.

5 MR. ALLEN: Okay.

6 MS. CUNNINGHAM: It can be transferred.  
7 The buyer can accept the restrictions that are  
8 currently in the deed.

9 MR. ALLEN: Okay. I'm just trying to  
10 make sure I understand, so I can report back  
11 what's going on. So Mr. Madonado needs to clear  
12 the property and properly fence it.

13 MS. CUNNINGHAM: Yes.

14 MR. ALLEN: Does it have to be fenced  
15 separately?

16 MS. CUNNINGHAM: No -- fence that is  
17 currently there is not up to code. We need a  
18 fence that is legal.

19 MR. ALLEN: Okay. So if he doesn't want  
20 to do it, he an older gentlemen, not in good  
21 health. The new owner can purchase the  
22 property, then do your recommendation, and then  
23 he can come back here?

24 MR. RODRIGUEZ: You can negotiate any

1 credits you want Mr. Madonado prior to  
2 settlement. We won't give a release until these  
3 stipulations are met. So if you want to do  
4 something where you are providing service to  
5 Mr. Madonado, whatever your arrangement is, is  
6 your arrangement. We will not convey  
7 certificate of completion until these  
8 requirements are met.

9 MR. ALLEN: That's fine. That's fine.

10 Only thing, is there like somewhere  
11 where this can be on record that this is what  
12 you told me so I can give it to the buyer.

13 MS. CUNNINGHAM: There will be minutes  
14 from the meeting.

15 MR. ALLEN: Where do I get it?

16 MR. RODRIGUEZ: It will be posted on the  
17 website.

18 MS. JOHNSON: It won't be until next  
19 week.

20 MR. ALLEN: This my first time.

21 MS. CUNNINGHAM: We have a motion  
22 already and a second.

23 CHAIRMAN JARMON: All in favor?

24 (Ayes.)

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1 CHAIRMAN JARMON: Any opposed?

2 (No opposition.)

3 CHAIRMAN JARMON: Next items are five  
4 properties that were transferred to PHA. They  
5 have all been developed and occupied. They just  
6 want the certificate.

7 MR. KOONCE: Motion to approve.

8 MS. CUNNINGHAM: Second.

9 CHAIRMAN JARMON: All in favor?

10 (Ayes.)

11 CHAIRMAN JARMON: Tabled Hazzard.

12 2714/16 Sears. Been transferred back in  
13 '97. And they consolidated both of these  
14 properties together.

15 MR. RODRIGUEZ: I am a little confused.  
16 Does PRA requesting the certificate?

17 CHAIRMAN JARMON: No. It's actually --  
18 because PRA had the restriction in there, then  
19 they transfer to PHDC. But they were the  
20 original ones that got it.

21 MR. RODRIGUEZ: One of those.

22 CHAIRMAN JARMON: Probably have to do  
23 something with that.

24 MR. KOONCE: PHDC, that would have to be

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1 presented to --

2 CHAIRMAN JARMON: It had our restriction  
3 in the deed that it had to come before VPRC.

4 MS. CUNNINGHAM: It has both.

5 CHAIRMAN JARMON: Yeah. Okay.

6 Can I get a recommendation?

7 MR. RODRIGUEZ: So moved.

8 MS. CUNNINGHAM: Second.

9 CHAIRMAN JARMON: All in favor?

10 (Ayes.)

11 MR. RODRIGUEZ: Just to notify the  
12 Committee, there will be future properties where  
13 we are cleaning these restrictions up. So, this  
14 will become more frequent.

15 MS. MEDLEY: This is like that  
16 all-in-one.

17 CHAIRMAN JARMON: Yeah. I don't know if  
18 that ever was done.

19 MS. MEDLEY: I don't know.

20 CHAIRMAN JARMON: 2615 Manton Street?

21 MR. RODRIGUEZ: So moved.

22 MS. CUNNINGHAM: Second.

23 CHAIRMAN JARMON: All in favor?

24 (Ayes.)

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1 CHAIRMAN JARMON: Any opposed?

2 (No opposition.)

3 CHAIRMAN JARMON: Next item, 1334 Grove.

4 MR. RODRIGUEZ: Are they -- is there a  
5 sale pending because there is no settlement  
6 sheet?

7 CHAIRMAN JARMON: They just want the  
8 restriction lifted.

9 MR. RODRIGUEZ: They need to put an  
10 appropriate fence and they need to clean the lot  
11 and remove all the debris.

12 Was this conveyed as a side yard?

13 CHAIRMAN JARMON: Yeah.

14 MR. RODRIGUEZ: Was it nominal or --

15 CHAIRMAN JARMON: Nominal.

16 MR. RODRIGUEZ: We will table it?

17 CHAIRMAN JARMON: What happened?

18 MR. KOONCE: Motion to approve  
19 contingent upon them cleaning the lot and  
20 upgrading the fence or putting in an appropriate  
21 fence.

22 MS. CUNNINGHAM: Second.

23 CHAIRMAN JARMON: All in favor?

24 (Ayes.)

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1 CHAIRMAN JARMON: 2316 Mascher.

2 (Applicant approached podium.)

3 MR. NIEVES: Morning, everybody. My  
4 name is David Nieves. I own 2316 Mascher.

5 CHAIRMAN JARMON: Was that a side yard?

6 MR. NIEVES: Yes.

7 CHAIRMAN JARMON: To your property?

8 MR. NIEVES: Yes.

9 CHAIRMAN JARMON: Okay. She didn't  
10 attach a picture.

11 MR. NIEVES: Because my house is 2314.

12 CHAIRMAN JARMON: Right. This will be  
13 contingent upon me seeing the picture. This was  
14 a recent attachment here.

15 MR. KOONCE: Motion to approve.

16 MR. RODRIGUEZ: Second.

17 CHAIRMAN JARMON: All in favor?

18 (Ayes.)

19 MR. NIEVES: I have a question,  
20 Ms. Jarmon.

21 CHAIRMAN JARMON: Sure.

22 MR. NIEVES: Would I get any  
23 notification about the restrictions?

24 CHAIRMAN JARMON: Yes, you will.

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1 MR. NIEVES: Thank you so much.

2 CHAIRMAN JARMON: You're welcome.

3 MR. NIEVES: Have a good day.

4 CHAIRMAN JARMON: You've been  
5 communicating with my office.

6 MR. NIEVES: Yes.

7 CHAIRMAN JARMON: Okay.

8 2102 and 4 North 20th Street? These  
9 were transferred in '05 and '96. They were side  
10 yards.

11 Can I get a recommendation?

12 MS. CUNNINGHAM: Motion to grant  
13 release.

14 MR. PADILLA: Second.

15 CHAIRMAN JARMON: All in favor?

16 (Ayes.)

17 CHAIRMAN JARMON: Any opposed?

18 (No opposition.)

19 CHAIRMAN JARMON: 621 and 623 Cantrell.

20 MR. KOONCE: Do you have pictures?

21 CHAIRMAN JARMON: Have pictures. They  
22 have cars on there. They were already told to  
23 remove them.

24 MR. RODRIGUEZ: Fencing needs to be

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1 changed, debris to clean.

2 CHAIRMAN JARMON: I think they are going  
3 to develop on these lots.

4 MS. CUNNINGHAM: Move to issue a  
5 certificate of completion contingent upon  
6 cleaning the lot, removing the fence and the  
7 cars and debris.

8 MR. HUNTER: Second.

9 CHAIRMAN JARMON: All in favor?

10 (Ayes.)

11 CHAIRMAN JARMON: Any opposed?

12 (No opposition.)

13 CHAIRMAN JARMON: Next item, 2525 North  
14 31st Street. This was a single family dwelling  
15 back in 1996. Can I get a recommendation?

16 MR. KOONCE: Motion to approve.

17 MS. CUNNINGHAM: Second.

18 CHAIRMAN JARMON: All in favor?

19 (Ayes.)

20 CHAIRMAN JARMON: Any opposed in?

21 (No opposition.)

22 CHAIRMAN JARMON: Next item, 1716 North  
23 18th street. Single family dwelling back in  
24 1989.

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1 Can I get a recommendation?

2 MR. KOONCE: Motion to approved.

3 MR. PADILLA: Second.

4 CHAIRMAN JARMON: All in favor?

5 (Ayes.)

6 CHAIRMAN JARMON: Any opposed?

7 (No opposition.)

8 CHAIRMAN JARMON: Next item, 1948 East

9 Harold Street. Property has been developed.

10 And they are going to send me the certificate of

11 occupancy.

12 Can I get a recommendation?

13 MR. KOONCE: Motion to approve subject

14 to receipt.

15 MS. CUNNINGHAM: They have a purchase on

16 the mortgage, right?

17 CHAIRMAN JARMON: No. We are on 1948

18 East Harold.

19 MS. CUNNINGHAM: I'm sorry.

20 MR. KOONCE: It's a structure.

21 CHAIRMAN JARMON: It's already

22 developed. Bill went out and did the picture

23 today. I am waiting for certificate.

24 MR. PADILLA: There is a motion on the

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1 floor contingent on certificate of the  
2 completion.

3 CHAIRMAN JARMON: Yes.

4 MR. PADILLA: Second.

5 CHAIRMAN JARMON: All in favor?

6 (Ayes.)

7 CHAIRMAN JARMON: Any opposed?

8 (No opposition.)

9 CHAIRMAN JARMON: Last item, 2122 East  
10 Arizona Street.

11 (Applicant approached podium.)

12 CHAIRMAN JARMON: You are here.

13 MS. O'BRIEN: I have a hearing problem.

14 CHAIRMAN JARMON: Can you hear me?

15 You are trying to sell your property  
16 along with the lot that you received from us.

17 MS. O'BRIEN: Correct.

18 CHAIRMAN JARMON: It had a self-mortgage  
19 against the title.

20 MS. O'BRIEN: Yes.

21 CHAIRMAN JARMON: For \$15,000.

22 MS. O'BRIEN: Yes.

23 CHAIRMAN JARMON: You would have to pay  
24 what the balance of that mortgage is.

1 MS. O'BRIEN: That's correct.

2 MR. RODRIGUEZ: Would ask that --

3 CHAIRMAN JARMON: What happened?

4 MR. RODRIGUEZ: Like to move we provide  
5 the certificate of completion with the  
6 satisfaction of mortgage at settlement and a  
7 removal of fence.

8 CHAIRMAN JARMON: So, they are asking  
9 that you remove the fence. You are selling?

10 MS. O'BRIEN: Yes.

11 CHAIRMAN JARMON: Do you know if the  
12 person is developing, going to build?

13 MS. O'BRIEN: He is.

14 CHAIRMAN JARMON: He can just remove the  
15 fence.

16 MS. O'BRIEN: Okay.

17 CHAIRMAN JARMON: You said to remove the  
18 fence and what else?

19 MR. RODRIGUEZ: Just satisfy the  
20 mortgage.

21 MS. CUNNINGHAM: Second.

22 CHAIRMAN JARMON: All in favor?

23 (Ayes.)

24 CHAIRMAN JARMON: Any opposed?

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1 (No opposition.)

2 CHAIRMAN JARMON: It was approved. Let  
3 me know when the fence is removed.

4 MS. O'BRIEN: Okay.

5 - - -

6 (At this time, a discussion was held off  
7 the record.)

8 - - -

9 CHAIRMAN JARMON: Like to add the  
10 Minutes from last month's agenda, September 11.

11 MR. RODRIGUEZ: So moved.

12 MS. CUNNINGHAM: Second.

13 CHAIRMAN JARMON: Meeting is adjourned.

14 (At this time, the VPRC Meeting  
15 adjourned at 11:44 a.m.)

16

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C E R T I F I C A T I O N

I, hereby certify that the proceedings and evidence noted are contained fully and accurately in the stenographic notes taken by me in the foregoing matter, and that this is a correct transcript of the same.

-----  
ANGELA M. KING, RPR,  
Court Reporter, Notary Public

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the certifying reporter.)

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