



MINUTES
PROPERTY STANDARDS BOARD
Meeting
NOVEMBER 18, 2021

Council Chambers

6:30 p.m.

1945 E. Jackson Road

Board members present: Chair Dave Hermon, Les Folsie, Annette Reese, Liz Fannin, Maggie Vera, Matt Garrett, Matt McCombs and Carol Sue Muravez.

Board members absent: Mike Whitley

Guests Present:

Alternate Scott Carstens

Councilmember Steve Babick

Staff members present: Building Official Brett King; Asst City Attorney Kanika Juneja; Plans Examiner Ed Green; Community Services Division Manager Brian Passwaters; Code Enforcement Officer Jessica Armijo; and Administrative Support Specialist Lydia Tormos.

Pre-Meeting 4:30 p.m. - COUNCIL CHAMBERS

- A. Swearing in of new Commissioner.
- B. A training session was held.

CALL MEETING TO ORDER: 6:30 PM

1. Approval of **minutes of the October 28, 2021 meeting.**

Muravez moved approval of the minutes; second by McCombs. The motion was approved with a unanimous 8-0 vote; Whitley absent.

PUBLIC HEARING

2. **PSB 2021-07.** City of Carrollton staff inspected the residential structure at: 2705 Raintree Drive Country Place Sec 4 BLK 11 LOT 13 DIV 03-13539-U DD11172000 CO-DC 0225001101300 2CC02250011 DALLAS COUNTY and found it to be dangerous, substandard, and a hazard to public health, safety, and welfare. Staff has sought a hearing before the Board to request a Notice and Order be issued requiring all code violations to be abated and to bring the structure into compliance with city codes within a specified period of time.

Chair Hermon administered the Oath to those testifying on the case.

Code Enforcement Officer Jessica Armijo began the presentation stating the Board packet was prepared by her with records in the control of the Building Inspections Department. She described the subject property as an occupied single-story, single-family home located at 2705 Raintree Drive, Carrollton, 75006. The title search of Appraisal District records shows the property to be owned by Robert E. Gordon with the mortgage company being The Bank of New York Mellon. She provided detailed information as presented in the case packet.

Armijo testified that as of the morning of the November 18, the roof had not been repaired. Staff recommends that the Board determine the structure to be dangerous, substandard and a hazard to the public health, safety and welfare. Staff further seeks a Notice and Order for the property owner to abate the list of violations within 30 days and if the violations are not abated, staff seeks a Notice and Order to authorize the City of Carrollton to repair the damaged roof and attach the costs as a lien against the property.

In response to questions from Muravez and Cruz, Armijo said the insurance company did not have an approval date. They did not indicate whether they would or would not be approving the claim nor the reason for the delay.

Chair Hermon opened the floor for speakers wishing to address the case.

Jessica Lesser, Bank of New York, stated they did start with foreclosure proceedings against the borrower. However this involves a home equity loan which will be different than a standard foreclosure in that it gives the borrower additional protection. In addition, the borrower has filed a lawsuit which prohibits them taking further action and will require a judicial decision. She stated her understanding that the insurance company is involved and stated that she has not been in contact with the resident because he is represented by counsel. The property is not vacant which means in addition an eviction notice process will have to be undertaken. Due to these circumstances, she was not sure that they could step in to make the repairs. She asked if they and the Board could reconvene at the next meeting and continue the discussion. She believed they had the authority to go onto the property to inspect the roof in the next 30 days.

Folse felt it was clear that the City needs to step in. He would not want this problem next to him and was sure the neighboring residents don't want it next to them so action needs to occur in the next 30 days.

Vera moved to close the public hearing; second by Fannin. The motion was approved with a unanimous 8-0 vote, Whitley absent.

Folse moved that the property located at 2705 Raintree Drive be determined to be found dangerous, substandard, dilapidated, unfit for human habitation and a hazard to the public health, safety and welfare; and that the owner has 30 days from receipt of certified copy of this Order to repair the property to comply with all City codes. If the owner fails to do the work, the City is authorized to complete the work and place a non-transferrable lien against the property in order to recover its costs. Second by McCombs. The motion was approved with a 7-1 vote, Muravez opposed; Whitley absent.

3. Adoption of the 2021 International Construction Codes and 2020 National Electrical Code. The City of Carrollton Building Inspection Department is in the process of reviewing the following 2021 International Codes for the purpose of adoption: Building, Residential, Energy, Fire, Plumbing, Mechanical, and Fuel Gas. The Department also intends to adopt the 2020 National Electric Code by reference. Staff is requesting that the Board review the proposed amendments, which are in line with the North Central Texas Council of Governments' recommendations.

Building Official Brett King advised that every year a portion of the Codes have recommended amendments. He explained that staff reviews and often participates in the discussion and consideration of recommended

amendments of the various codes. He stated the Codes were published in the Fall of 2020 and since then, staff has been in meetings regionally including with the North Central Texas Council of Governments (NCTCOG). He stated that area cities try to adopt codes so that contractors who work and build in various cities have a good understanding of the regulations. He said that ultimately, staff is asking the Board to make a recommendation to the City Council to adopt the Codes and amendments as presented. He referred to a memorandum about significant changes to the building code and the residential code that allow intramodal shipping containers to be used where they are accepted in the code with ways to turn those into houses or other buildings. He explained that State law does not allow the City to modify that language. He further stated that whether a home is a duplex or a townhome, it must have a fire separation between the two. He stated most of the changes are in the Energy Code and advised that Dallas County has been moved from a warm/humid climate to a hot/humid climate. He also referred to the proposed Ordinance that staff will forward to the City Council for consideration.

Garrett asked if it were possible to adopt the 2021 Codes with the provisions for allowing shipping containers struck. King replied that from a State law perspective, the City could not stop the use.

Reese asked if the changes would be retroactive and King replied that all Code changes go forward.

Muravez asked about the restrooms and King stated that if a location has a single user restroom, it can be designated as open to anyone whereas the Code used to require a location to provide separate male and female restrooms. King added that the Code is permissible.

Folse moved to close the public hearing and adopt the 2021 International Construction Codes and 2020 National Electrical Code; second by Muravez. The motion was approved with a unanimous 8-0 vote; Whitley absent.

OTHER BUSINESS

a. Election of Vice Chair

McCombs nominated Liz Fannin to be Vice Chair; second by Folse. The nomination was approved with a unanimous 8-0 vote; Whitley absent.

b. Staff Reports

King stated that there was no meeting in December but expects there will be a case to be heard in January 2022. He also reported that he and Lydia Tormos are working remotely because the Building Inspection Department is being remodeled as part of the City Hall remodel project. He added that the Department has revoked one Certificate of Occupancy recently and the Board may see cases of appeal due to it or other revocations.

ADJOURNMENT

Muravez moved to adjourn; second by Reese. The meeting was adjourned at 7:13 p.m.

Chairperson

Secretary