



**MINUTES**  
**PROPERTY STANDARDS BOARD**  
**Meeting**  
**JANUARY 27, 2021**

Council Chambers

6:30 p.m.

1945 E. Jackson Road

**Board members present:** Chair Dave Hermon, Les Folse, Annette Reese, Liz Fannin, Maggie Vera, Mike Whitley and Carol Sue Muravez.

**Board members absent:** Mike Garrett and Matt McCombs.

**Guests Present:**

Alternate Scott Carstens

**Staff members present:** Field Operations Manager Ray Davis; Asst. City Attorney Kanika Juneja; Community Services Division Mgr. Brian Passwaters; Code Enforcement Officer Tim Roush.

**CALL MEETING TO ORDER: 6:30 PM**

1. Approval of **minutes of the November 18, 2021 meeting.**

**Ms. Fannin moved approval of the minutes; second by Ms. Muravez. The motion was approved with a unanimous 7-0 vote, (Garrett and McCombs absent).**

**PUBLIC HEARING**

2. **PSB 2021-06:** City of Carrollton staff inspected the residential structure at 2015 Statler Dr (Rollingwood Est 4 Block W lot 8 Denton County, Denton County Appraisal District Property ID #53897) and found it to be dangerous, substandard, dilapidated and a hazard to public health, safety, and welfare. The case was presented at the PSB meeting on October 28, 2021. After considering the evidence, the Board issued Order No. 10-28-2021-01 requiring all property owners and interested parties to abate conditions contributing to the harborage of rodents, including cleanup and boarding up holes within sixty (60) days of the date of the Order and to report the status of said work to City Staff in thirty (30) days. The property owner or interested parties have not complied with the Order and Staff seeks a hearing before the Board requesting that a Notice and Order be issued requiring all code violations to be abated and to bring the structure into compliance with city codes or demolition of the structure within a specified period of time.

Asst. City Attorney Kanika Juneja addressed the Board about the Order that was approved at the October 28, 2021 meeting with regard to 2015 Statler Dr. She summarized the Order and stated that the matter before the Board at this hearing is the remaining Code violations.

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

Code Enforcement Officer Tim Roush provided a status report of the outstanding violations of the subject property located in Carrollton, Denton County. The owner of the property is Donald J. Keisling who was deemed deceased on or about March 20, 2019 with the only lien holder being the City of Carrollton for past mowing liens. A person of interest is Donald J. Keisling II who is the son of Keisling. Roush summarized the Order issued on October 28, 2021 and specified the timeframe that the Order was signed and detailed the manner of delivery of the Order to the property owner, person of interest and lien holder. He testified that the City staff performed an inspection of the property on December 13, 2021 and reported that all violations remained unabated. Contact was made by phone and email to Keisling II to schedule a time for a status report and inspection, but neither the call nor the email was answered. Contact was attempted again on December 16 and neither call nor email was returned. City staff inspected the property again on December 20, 2021 and found the violations remained unabated. Staff also saw no evidence of work occurring. Staff discovered a registry of action for Case PR-2021-01585 in Denton County Probate Court that listed Donald J. Keisling II as the applicant and Donald Joseph Keisling as the decedent and was filed on December 2, 2021. He reported that staff received an email from Donald J. Keisling II on December 27, 2021 advising that he had begun a contract with a renovation company to bring the house up to Code while waiting for the Probate case to be heard. On January 3, 2022, staff requested a copy of the contract but as of this date, it has not been provided. Roush stated that staff performed inspection of the property on January 22 and 27, 2022 and found the violations remain unabated and no contractors or workman have been observed at the property. He listed the multiple violations. He stated that staff has requested bids to address the violations with bids due February 7, 2022. He further stated that he received a call from a contractor around 4:30 pm today stating that they were on site and working to patch the siding. He stated that after he verified that the contractor was aware of this hearing, he asked the contractor to bring color photos and any other documents to this hearing. Roush requested an additional Order to be issued to address abatement of violations beyond boarding up holes on the siding which is stipulated in the previous Order. He stated that the City requests that the Board find that the residential structure at 2015 Statler Drive is dangerous, substandard, dilapidated, unfit for human habitation and a hazard to public health; and request a Notice and Order be issued to the property owner to abate all Code violations in addition to those listed in Order PSB 10-28-2021-01 in 30 days. If the property owner or person of interest in the property fails to complete all work described in the Order within the specified time, the Board authorize the City of Carrollton to make said repairs and attach the costs as a lien against the property.

Mr. Whitley stated that he thought they were looking at demolishing the structure and asked if that had changed. Roush replied demolition was included in the Order, but at that time it was unclear if there was a property owner. He stated that now that there is a person of interest and the property is in Probate Court, staff recommends that the owner be given ample time to make repairs. He stated that the new Order being requested would require the 30-day notice period.

Mr. Folse asked about the status of ownership. Roush stated that the son is listed as the applicant and the Probate case has not been completed.

Ryan Rouz, attorney representing the applicant, provided photographs that were taken of the property and a copy of the contract. He stated that his company is purchasing the property; he is hiring a contractor to make repairs and felt it could be completed in a maximum of 30 days. He stated that the Probate case would take approximately 60 days. He affirmed that the property was secured from anyone gaining access.

Ms. Reese asked if there was a detail description of the work to be completed. Mr. Rouz stated his plan is to repair it enough to flip it, so it has to be presentable. He talked about placing a dumpster to clean out the house in order to make it habitable before they can make it nice. Roush explained that Mr. Rouz did not have a list of violations because he was unaware of Mr. Rouz or anyone else working on the property until 4:30 pm this date. He stated he would provide a list of the violations to Mr. Rouz immediately after the meeting or the next day and explain the requirements to bring the property to meet minimum Code.

Ms. Muravez asked Mr. Rouz how he was able to purchase the property if it was still in probate court. Mr. Rouz stated they are purchasing the future interest in the property and stated he has a separate contract with Mr. Keisling II to sell him his interest in the property. Mr. Rouz stated he has a contract for making repairs to the structure.

Ms. Vera asked the City Attorney if the Board should be concerned about the ownership of the structure and Assistant City Attorney Juneja stated the Order would be directed to the owner or person of interest. She added that what happens to the ultimate ownership is not necessarily relevant to this case because the Order will be issued to the owner or person of interest. How the person of interest chooses to execute the Board’s Order is up to that individual. She further stated that any City liens on the property remain until the property ownership has been worked out. Brian Passwaters stated that City does not foreclose on liens and he stated that the lien will be cleared when there is a transfer of ownership at the time of the sale in order to obtain a clear title.

**Ms. Muravez moved to close the Public Hearing; second by Ms. Fannin. The motion was approved with a 7-0 vote, (Garrett and McCombs absent).**

**Ms. Muravez moved that the property located at 2015 Statler Drive is found to be dangerous, substandard, dilapidated, unfit for human habitation and a hazard to public health, safety and welfare; and a Notice of Order to be issued to the owner or person of interest in the property to have 30 days from receipt of a certified copy of said Order to address all remaining violations to bring the structure into full compliance with City Codes. If the owner fails to do the work on the remaining violations, the City is authorized to complete the work and place a non-transferable lien against the property in order to recover its costs. Second by Ms. Fannin. The motion was approved 7-0, (Garrett and McCombs absent).**

**OTHER BUSINESS**

a. Staff Reports – Passwaters reported that there were no PSB cases for February. He advised that staff is no longer using the 1994 Uniform Code and referred to the new ordinance called the Substandard Structure Code that basically outlines the same principles. He encouraged the Board to review the new Code.

**ADJOURNMENT**

Ms. Muravez moved to adjourn; second by Ms. Reese. The meeting was adjourned at 7:07 p.m.

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Chairperson

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Secretary