



Code Enforcement Division 3rd Quarter 2019 Report

Dirty Dozen Update

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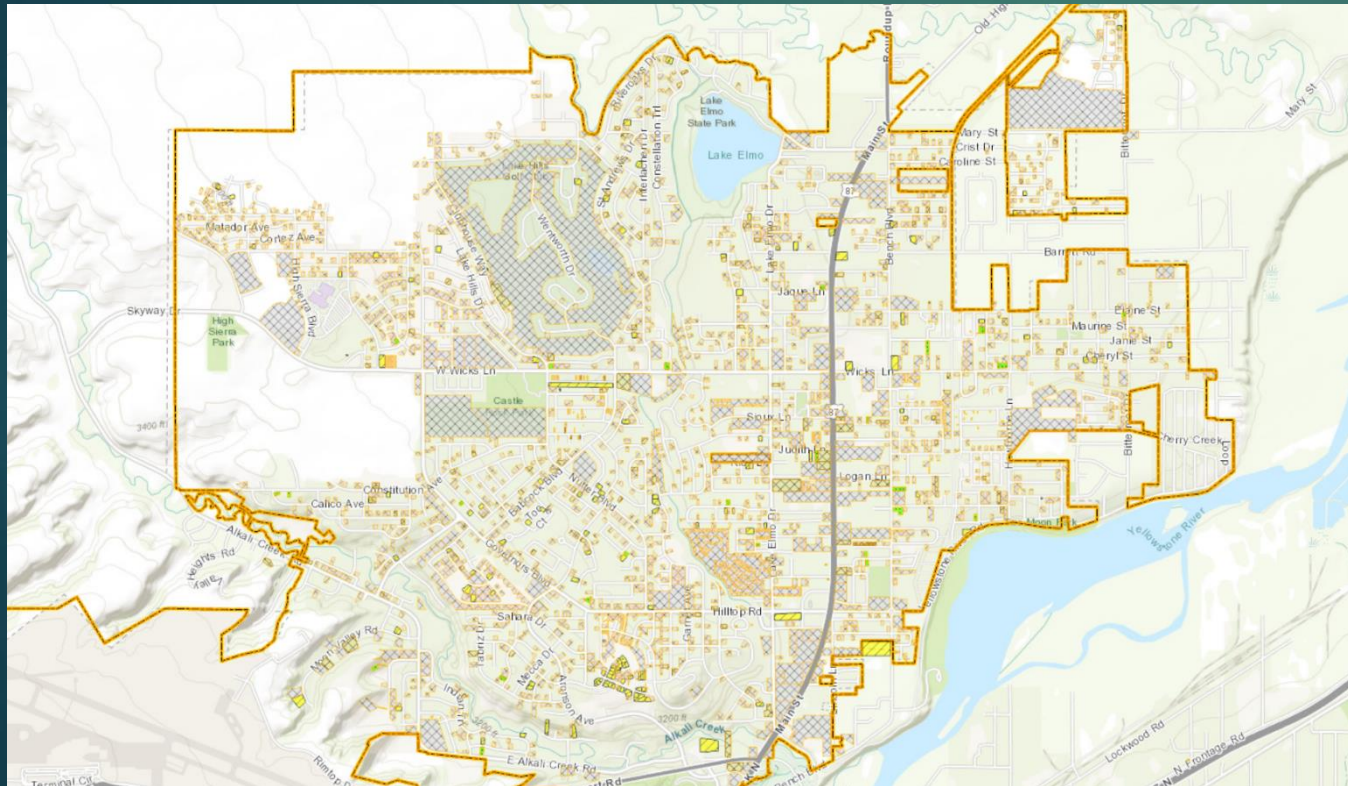
3rd Quarter 2019 Report

Highlights

- ▶ **2** Properties retired from the Dirty Dozen list – since 2019 2nd Quarter
 - ▶ 120 S 29th – new owner – re-roofing permit issued, debris cleaned up
 - ▶ 3520 Cook Ave – Trustee had property cleaned after court ordered abatement
- ▶ **16** Active Court Cases – Abatement Orders requested
- ▶ **3** Locations – City Appointed as Special Administrator for estates without heirs – proceeding with property abatement
- ▶ **1** New City Interactive Map – the Public can track and follow cases on line

New interactive MAP

▶ Permits and Code Violations Interactive Map



Legend

GIS Layers

- Code Violations - Active
- Code Violations - Closed
- Code Violations - Invalid
- Billings City Limits

The legend panel is a vertical sidebar on the right side of the map. It has a purple header with the word 'Legend' and a close button (X). Below the header, it lists 'GIS Layers' with four items: 'Code Violations - Active' (represented by a green grid icon), 'Code Violations - Closed' (represented by a grey cross-hatch icon), 'Code Violations - Invalid' (represented by a yellow diagonal line icon), and 'Billings City Limits' (represented by an orange outline icon). There are also three small icons at the top of the legend panel: a triangle, a square, and a circle.

Dirty Dozen Update

▶ Locations retired from the list:

▶ #3 – 120 S 29th ST

▶ Case started in June 2017



Dirty Dozen Update

▶ Locations retired from the list:

▶ #10 – 3520 Cook

▶ Case started in June 2018



The Dirty Dozen – #12

- ▶ 246 Rhea Lane – Jessica & Rich Westberg
 - ▶ Abandoned House
 - ▶ Open Storage
 - ▶ Non-appearance citation August 2019



The Dirty Dozen – #11

▶ 4124 Murphy – Jack Webb

- ▶ Current Case started in **May 2019** – **31 cases at this address since 2007**
- ▶ Open Storage, Junk Vehicles, Obstructing Right of Way
- ▶ Cited to court – hearing **November 13, 2019**
- ▶ **Will request an order of abatement**



The Dirty Dozen – #10

▶ 206 & 213 S 30th St – Ken Glock

- ▶ Case started in Dec 2016
- ▶ Four abandoned and unsecured homes
- ▶ Cited to court – failed to appear July 22, 2019
- ▶ Judge issued fines and closed cases August 19 2019
- ▶ New citations issued – Hearing October 16, 2019



The Dirty Dozen – #9

▶ 20 Washington – Melvin Boyer

20 Washington

- ▶ Fire in 2001
- ▶ Case opened Oct 2016
- ▶ Court ordered owner to repair or demolish May 2019
- ▶ Status hearing in November



▶ 46 Washington – Quentin LaForge (deceased)

- ▶ Case opened Sept 2016
- ▶ October 2019, District Court appointed CEO Salzman special administrator for the estate
- ▶ Will proceed with property abatement

46 Washington



The Dirty Dozen – #8

- ▶ 911 Terry – Donald & Gesin Kostelic
 - ▶ Case Opened **June 2019**
 - ▶ Appears to be a long-term collection
 - ▶ Assistance offer by Central Terry TF refused by owners



The Dirty Dozen – #7

- ▶ 1415 1st St W – Tara Hubbard
 - ▶ Case Opened **May 2019**
 - ▶ Negative progress since first notification
 - ▶ **Appearance Citation issued – hearing Oct 16**



The Dirty Dozen – #6

- ▶ 1015 McKenney Road – Brad Redlich
 - ▶ Incomplete building – construction halted in 2007 – case opened June 2017
 - ▶ Owner failed to comply- Misdemeanor Citation Issued in June 2018
- ▶ Municipal Court Hearing July 25, 2018
 - ▶ Judge ordered owner to obtain building permit within 60 days – by Sept 19, 2018
 - ▶ Owner failed to obtain permit – Judge granted additional 60 days
 - ▶ Status hearings: Nov 14, 2018; Dec 5, 2018 Feb 6, 2019, April 2019 & July 24, 2019
 - ▶ Judge granted postponement of hearing on July 24, 2019 at request of defendant
 - ▶ Hearing postponed to mid November 2019 to allow structural assessment by owner



The Dirty Dozen – #5

- ▶ 816 N 25th St – Vivian Young
 - ▶ Boarded Building – case opened **Nov 2017**
 - ▶ Vacant for over 10 years
 - ▶ Owner agreed to demolish
 - ▶ Preparing to issue appearance citation



The Dirty Dozen – #4

- ▶ 316 Miles Ave – Michael Mitzel
 - ▶ Started construction w/o permit **2012**
 - ▶ Setback violations – Variance request denied **July 2016**
 - ▶ Public Nuisance case opened **Oct 2018**
 - ▶ Appearance Citation – Judge requested owner to submit plans for moving building
 - ▶ Permit submitted October 3 – pending approval



The Dirty Dozen – #3

▶ 23 Rhea Lane – Timothy Hert

- ▶ Case started in **May 2017**
- ▶ Home abandoned **in 2000**
- ▶ Incomplete garage
- ▶ Home unsecured
- ▶ Owner says demolition planned for end of October



July 2019



October 2019

The Dirty Dozen – #2

- ▶ 114 S 29th St – Richard Wick
 - ▶ Civil Action Filed in Feb 2018
 - ▶ August 12 2019 Trial Scheduled – but postponed
 - ▶ Judge finds property to be a Hazard – orders building cleared and demolished in 45 days (end of November 2019)
 - ▶ Abatement by city if work not completed
- ▶ 118 S 29th St – Richard Wick
 - ▶ Nuisance Citation – Status Hearing July 22
 - ▶ Judge issued Abatement Order
 - ▶ Preparing for demolition and property clean up

114 S 29th St
Jan 2019



118 S 29th St
Jan 2019



The Dirty Dozen – # 1

- ▶ 4116 State Avenue – David Winfrey (deceased)
- ▶ Dangerous Structure – case opened **Aug 2015**
 - ▶ Severe Impact on surrounding property
 - ▶ Fire damaged
 - ▶ Inadequate & Improper Boarding of Doors and Windows
 - ▶ Owner died (2015) without assigning heirs
 - ▶ One heir appeared at District Court hearing appointing CEO Salzman special administrator
 - ▶ Court postponed action for 6 months



Questions?



3rd Quarter 2019 Reporting October 2019

Dirty Dozen rankings:	Rank last 1/4	General Location	Compliance Issue	Owner	Current Status	Previous Status	CE Case initiated
Number 1	Number 1	4116 State Avenue	Boarded Structure	Estate of David G. Winfrey owner - deceased Jan 2015	Attorney General's Office has filed petition in District Court to appoint CE Salzman the Special Administrator - will have authority to abatement nuisances and sell property - Harry Winfrey appeared on Sept 26 at District Court hearing to appoint city as administrator of estate - Judge Davies allowed 6 months (March 2020) for Harry Winfrey to establish ownership and abate nuisance	Case in Legal for filing June 2017 - City Attorney Seeking Confirmation of Process from State Attorney General - Escheats of Property - MCA 70-1-203 - AG office has assigned attorneys	August 2015
Number 2	Number 2	114 & 118 S 29th Street	Dangerous Structures	Richard D. Wick owner - Billings MT	114 S 29th St is scheduled for Hearing August 12, 2019 Court issued abatement order for 118 S 29th on July 22, 2019 - August 2019 Court hearing on 118 S 29th judge ordered city to abate the burned house - October hearing on 114 S 29th judge ordered house demolished in 45 days by owner - if not city will be authorized to clear the building and demolish.	Search Warrant executed at 114 S 29 in Dec 2016 Complaint Filed Feb 2018 Waiting for Scheduling Order from Municipal Court on 114 S 29th 118 S 29th Issued MI Citation for Dangerous Structure and Junk vehicles	Nov 2016
Number 3 - retired	Off the list	120 S 29th St	Boarded Structure Open Storage of Junk/Debris	Jonathan Porta owner - Billings MT Andrew Donez Contract Buyer Sept 2019	Owner stated a sale was imminent - will be citing by end of July if not secured and yard cleaned up - cited in Sept 2019 - new contract buyer is re-roofing building	Previous case for Dangerous Structure closed - house boarded. Current case from BPD camping transients and junk in backyard	June 2017
Number 3	Number 12	23 Rhea Lane	Dangerous Structures	Timothy Hert - Billings MT	Citation issued - owner may have buyer	Source of complaints since 2005	May 2017
Number 4	Number 4	316 Miles Ave	Incomplete Construction - Zoning Violation	Michael Mitzel - Billings MT	Hearing scheduled for July 22 postponed at request of defendant to August 19, 2019 at 1 pm - Court re-set hearing to allow owner to get engineer's report on moving structure - Building permit submitted October 3 2019 - pending approval	Awaiting response from owner - submit variance or demolition permit	Current Dec 2018 previous case 2012
Number 5	Number 5	816 N 25th St	Boarded Building	Vivian Young - Billings MT	Building unsecured again. Will be citing owner in November 2019	Awaiting response from owner - submit building permit or demolition permit	Nov 2017
Number 6	Number 4	1015 McKenney Road	Abandoned Construction (started in 2007)	Bradley K Redlich owner - Billings MT	Status hearing scheduled for July 24, 2019, postponed at the request of the defendant. Owner has hired an attorney, proposal is to delay hearing until engineer's report on structure available in November 2019	Judge extended time to obtain new Building Permit for 60 days (Sept 26 2018) - Judge extended time again from Sept 26 another 60 days (Nov 14, 2018)	June 2017
Number 7	Number 7	1415 1st St West	Open Storage & Junk Vehicles	Tara Hubbard - Billings MT	Negative progress since first notice to remove trash, junk vehicles and obstructions from alley - cited in Sept 2019 - hearing October 16 2019	Case Open in May 2019	May 2019
Number 8	Number 8	911 Terry	Open Storage of Junk and Junk Vehicles	Donald & Gesin Kostelic	Progress - but slow going	Case Open in June 2019	June 2019
Number 9	Number 7	20 & 46 Washington St	Dangerous Structures	20 Washington, Melvin Boyer owner - Billings MT 46 Washington, Estate of Quentin LaForge owner - deceased Dec 2015	20 Washington Status hearing on August 19, 2019 at 1 pm. City proved case in May 2019. Court gave defendant 90 days to obtain building permit for renovation or demolition permit to tear down the building. 46 Washington - petition granted appointing CE Staff as Administrator of Estate	20 Washington - CE Working with owner to complete demolition 46 Washington - Case in Legal for filing June 2017 - City Attorney Seeking Confirmation of Process from State Attorney General - Escheats of Property - MCA 70-1-203 AG office has assigned attorneys	20 Washington - Oct 2016 46 Washington - Sept 2016
Number 10 - retired	Off the list	3520 Cook Ave	Open Storage of Junk Debris	Estate of Lana L Favero owner - deceased 2016	Court granted abatement order to city on July 24, 2019 - trustee completed clean up - case closed Sept 11 2019	Trying to connect with trust manager - Thompson Painter Law Offices - Trustee Cited - Appearance April 29, 2019 at 1 pm	June 2018
Number 10	Number 11	206 & 213 S 30th St	Dangerous Structures	Ken Glock - Billings MT	Hearing on July 22, 2019 postponed to August 19 - Judge dismissed cases September 2019	Boarded Buildings and Dangerous Structure for at least 2 decades	Dec 2016
Number 11	new	4124 Murphy Ave	Open Storage of Junk, Debris, Junk Vehicles, Obstructing a Right of Way	Jack Webb - Billings MT	MI Cite Issued in October - Hearing November 13	Returned mail, not answering door, whereabouts unknown	May 2019
Number 12	new	246 Rhea Lane	Open Storage Junk, Debris Abandoned House	Jessica & Rich Westberg - Huntley MT	Non-appearance MI Citation Issued in August 2019	Last contact with owner July 2019	July 2019