

CITY OF DURHAM

**To:** Thomas J. Bonfield, City Manager

**Through:** Keith Chadwell, Deputy City Manager

**From:** Constance Stancil, Director of NIS

**Date:** September 14, 2012

**Re:** Request to Appear by Henry Saucedo at September 20, 2012 work session

The following was received from Mr. Saucedo as reason for his request to appear before the City Council.

“Please accept this email as a request to meet with City Council on Sept 20th for a hearing regarding and intending to resolve all fines, assessments, Notice of Liz Penders, Unauthorized entry with keys retained by SWOOP, Overcharge for items ordered by vendors in the past, workers from clean up from church across the street identified as some of the persons responsible for dumping construction waist and excessive charges for weedy lots.”

Departmental response:

Listed below is pertinent information concerning Neighborhood Improvement Code Enforcement cases on properties owned by Henry Saucedo in the City of Durham.

- Mr. Henry Saucedo and his associated company, Entrust, have owned five duplexes in Northeast Central Durham since August and September of 2006. In the past six years we have had fifty two complaints about the five properties. The City has remediated the violations and placed liens on the properties on eighteen occasions. The amount of the liens as of August 28, 2012 is \$6620.86.
- All five of the properties have been taken to the housing Appeals Board and are awaiting stabilization at this time. Civil penalties and fines accrue until the property is brought into compliance or an order of stabilization is issued. The total amount of the fines and penalties accrued is \$21,760. The cost of the stabilizations will be put in the form of a lien on each property.
- At the present we have three active weedy lot cases on three of the properties. These are scheduled for mowing in the next week.
- As of today, there are only two units out of ten that are occupied.
- In his Request to Appear, Mr. Saucedo made several accusations that are not true. The most glaring accusation deals with a joint cleanup effort for the Ivy and Hibiscus Streets neighborhood conducted by NIS, neighbors and SWOOP in April, 2009. At no time did SWOOP go into any units owned by Henry Saucedo or Entrust. SWOOP did go onto the properties to clean up junk and debris from the yards of many of the properties on Juniper, Ivy and Hibiscus Streets. SWOOP is a renowned volunteer group from the area that is

known statewide for all of their good works. They have no way to get keys to the buildings nor would they have any need to get into the units. The properties at various times have been open to the public due to vandalism, but SWOOP would not have gone into the units. Also, Mr. Saucedo states that workers from the nearby church have been dumping on his property. We have no way of knowing who dumps on the property and can only hold the property owner responsible for debris cleanup. We have never ordered any items from a vendor and passed the charge on to a property owner.

- Our Impact Team has done all of the remediation of the properties at a cost established by NIS for the per hour charge for the men involved and a per hour cost for the equipment and materials used.
- Lis pendens were placed on 1211 Juniper, 1215 Juniper and 1301 Ivy in June of 2011 to ensure that our cases will not become void if the properties have a change ownership.
- A Memorandum of Understanding was entered into in January of 2010 allowing the owner nine additional months to complete repairs on the properties with housing code violations. In June of 2010, NIS was given the phone number of a new property manager, but no repairs were ever completed.

**Below is the case information for Henry Saucedo and Entrust properties:**

All 5 properties are duplexes. The lower of the 2 address numbers is the address associated with the parcel ID.

**1211/1213 Juniper Street**

- Repair Only case entered 5/8/11 (restart of earlier case from 6/15/10)
- Housing Appeals Board in August 2011 adopted an order to repair
- Boarded by NIS Impact Team 4/21/11 for case initiated 2/10/11, interior inspection of 1213 side was done at that time
- Weedy/Junked lot cases beginning September 2009 – 6 cases, 4 completed by NIS Impact Team, 1 case active and not yet remediated as of 9/14/12

**1215/1217 Juniper Street**

- Board and Clean case entered 6/8/10 was closed by voluntary compliance
- Boarded by Impact Team 5/8/11, for side door and window that were vandalized
- Repair Only case entered 5/8/11
- Housing Appeals Board August 2011 adopted an order to repair
- Boarded by Impact Team 4/21/11 for case initiated 10/23/11, side widow board had been removed by vandals
- Weedy/Junked lot cases beginning September 2009 – 7 cases, 6 completed by NIS Impact Team, 1 case active and not yet remediated as of 9/14/12

**1301/1303 Ivy Street**

- Board and Clean case entered 2/23/09 was closed by voluntary compliance
- Board and Clean case entered 5/25/10 was closed by voluntary compliance
- Repair Only case entered 5/8/11
- Housing Appeals Board August 2011 adopted an order to repair
- Weedy/Junked lot cases beginning December 2007 – 7 cases, 4 completed by NIS Impact Team, 1 case active and not yet remediated as of 9/14/12

**1317/1319 Ivy Street**

- Repair Only case entered 3/9/09, Housing Appeals Board April 2011 order to repair
- Board and Clean case entered 6/8/10 was closed by voluntary compliance
- Repair Only case entered 3/13/09
- Housing Appeals Board April 2011 adopted an order to repair
- Weedy/Junked lot cases beginning December 2007 – 3 cases, all closed by voluntary compliance, no active case

**1321/1323 Ivy Street**

- Repair Only case entered 3/29/09
- Housing Appeals Board April 2011 adopted an order to repair 1321
- Repair Only case entered 5/27/10
- Housing Appeals Board April 2011 adopted an order to repair 1323
- Board and Clean case entered 2/10/2011 was boarded by the Impact Team 4/06/2011
- Weedy/Junked lot cases beginning December 2007 – 4 cases, 1 completed by NIS Impact Team, no active case