

**PROPERTY MAINTENANCE APPEALS BOARD**  
**Monday, June 13, 2022**  
**1:00 PM – 141 N. Front Street Columbus, OH 43215**  
**Hearing Room**

The Property Maintenance Appeals Board met at 141 N. Front Street – Hearing Room, at 1:03 p.m. on June 13, 2022. The following members were present:

**Alex Macke, Co-Chairperson**  
**Tiffanie Harris**  
**Scott Wolf**  
**Katie McCann**  
**Matthew Zenko**

City Attorney Adam Friedman was present as counsel to the Board. Property Maintenance Inspection Specialist Cassandra Scurlock was present as Board Secretary.

**Old Business:**

None.

**New Business:**

A motion was made by Matthew Zenko and seconded by Katie McCann to accept the prior months meeting minutes from May 9, 2022. Approved 5-0

Secretary Cassandra Scurlock reminded the Board that elections for Chairperson and Vice Chairperson will take place at the July 11, 2022 PMAB meeting.

**PMA-473**

The appellants, Veselin and Galina Dimitrov, were present. The Division of Refuse was represented by District Assistant Manager Adam Gray, and Solid Waste Investigator Bryan White.

The first order of business was to decide if the Board would hear the appeal, since it was received outside of the 15-day timeframe. A motion was made by Tiffanie Harris to hear the appeal, it was seconded by Matthew Zenko. Motion granted 5-0.

Adam Gray provided testimony explaining the exhibits of the case packet along with the current condition of the violation property, which is a dumpster violation CCC 1305.07. Board Member McCann asked if 90 gallon containers could be provided by the City, in lieu of the dumpster. Adam Gray said that because this is a multi-family unit, title 13 does not allow trash service using the 90-gallon trash cans. Mrs. Dimitrov explained that they bought the property 7 years ago. There is a neighboring apartment complex, and long-standing verbal agreement, that the residents of their apartment complex are allowed to take their trash to the neighboring dumpster. There have been escalating disagreements with the neighboring property owner, due to demands of additional services and payments. The neighboring property owner has now decided to end the agreement with the Dimitrov's and is not allowing the tenants at their property use of the dumpster. Another option is to provide trash service through a private hauler. However, Mrs. Dimitrov explained that they are attempting to keep rent affordable for their tenants, and if they had to hire a private hauler for trash service then the rent would increase. They would rather the

City provide trash service. Adam Gray provided that the location and arrangement of the property do not allow for the approach and pad that would be required to install a dumpster that the City refuse department could access. Board Vice Chairperson Macke asked if the City could install a dumpster at the end of the street in right-of-way. Adam Gray said that has not been done, and it would ultimately be proposal and decision that the Administrator of Refuse would have to make. Board Vice Chairperson Macke asked if Adam Gray could take the idea to the Administrator. Adam Gray agreed to take the idea to the Administrator. Board Vice Chairperson Macke acknowledged that it was unfair that the neighboring property owner is no longer cooperating with the Dimitrov's to allow use of the dumpster. He suggested consulting with an attorney to discuss 'Easement by pertinent use'. Board Member McCann said that they needed to make a decision on the order that was issued.

A finding of fact was made by the Board, for the violations of no garbage cans or dumpster is provided at this property. A motion for the finding of fact was made by Alex Macke and seconded by Katie McCann. Motion granted 5-0.

Next, a motion was made by Katie McCann and seconded by Alex Macke to deny the appeal. Motion granted 5-0.

The Board discussed an appropriate timeframe for extending the compliance date. It was agreed that an additional 90 days would be granted, to allow for a solution either by working with the City, the neighboring property owner, or private hauler. A motion was made by Katie McCann and seconded by Alex Macke to modify the compliance timeframe, to grant an additional 90 days. Motion granted 5-0.

**Deny Appeal, with modification to grant an additional 90 days (September 12, 2022) for compliance.**  
**5-0**

#### **PMA-472**

The appellants, Jamie Spears and Ronda Stephens were present. Code Enforcement was represented by Code Enforcement Officer Travis Wilcoxen. CEO Wilcoxen provided testimony explaining the exhibits of the case packet along with the current condition of the violation property, which are exterior and interior housing issues, CCC 4525.01, 4551.01, and 4525.02. The appellants, Jamie Spears and Ronda Stephens explained that they have made repairs and contract with extermination services, as a matter of maintenance and also to address pest and/or rodent situations as they are reported by the tenants. They said the tenant insists that there is a rodent infestation, but there is no evidence to support that. Board Vice Chairperson Alex Macke asked if the apartment is kept clean. Jamie Spears and Ronda Stephens said they have been inside the apartment and it is kept very clean. The property manager, Jennie Eicher, is present and could provide additional testimony regarding the tenant and the apartment. Jennie Eicher moved forward and provided that the apartment is immaculate. The tenant moved in to the unit December, 2021. The tenant began submitting complaints almost immediately after moving in, alleging insect and rodent infestations. Board Vice Chairperson Alex Macke said that the violations presented in CEO Wilcoxen's pictures were very minor. CEO Wilcoxen stated that, while the violations may not be egregious, they are Code violations. Board Vice Chairperson Alex Macke questioned the weathertight nature of the sliding glass doors, adding that there should be a gap present to allow for the rollers to slide.

A finding of fact was made by the Board, for the violations of CCC 4525.01 and 4551.01 (hole at exterior wall), 4525.02 (weather seals at bottom of sash on windows), and striking 4525.02 (sliding glass door not weathertight) and 4551.01 (kickplate below sink). A motion for the finding of fact was made by Alex Macke and seconded by Katie McCann. Motion grated 5-0.

Next, a motion was made by Katie McCann and seconded by Alex Macke to deny the appeal. Motion granted 5-0.

The Board discussed an appropriate timeframe for extending the compliance date. It was agreed that an additional 30 days would be granted to complete remaining repairs. A motion was made by Katie McCann and seconded by Alex Macke to modify the compliance timeframe, to grant an additional 30 days. Motion granted 5-0.

**Deny Appeal, with modification to grant an additional 30 days (July 11, 2022) for compliance.  
5-0**

There being no further business, Alex Macke made a motion to adjourn the meeting at 2:03 pm, seconded by Katie McCann. Meeting adjourned 5-0



Pamela Palmer  
Chairperson



Cassandra Scurlock  
Secretary

Alex Macke, Vice  
Chairperson