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DEPARTMENT INITIATIVES & EDUCATION

Gary Hansen and other Building Officials of the Metro area, local GIS people, and Linn County EMA have been meeting to develop a collector app for use in case of a natural disaster. This would report damage amounts and speed up assistance from the State of Iowa, and FEMA. Hopefully helping the residents get their lives back in order more quickly.

BUILDING INSPECTIONS

All of the above electrical violations were found in NEW residential construction: The first two photos show twisted wire used to extend the screws into the electrical box. The next two photos show unacceptable screws being used (because they are longer than the standard approved screws). The brown ones are exterior deck screws and the black ones are intended for drywall. Using extension rings, or approved plastic spacers, will be required to bring these outlets into compliance. In the last photo, there is a fairly large gap leaving exposed wiring that needs to be covered.

This poor facia job is another example of the importance of inspections. When facia and siding is not installed properly, water could easily find it’s way into the structure.

Overspray on this panel can jeopardize the integrity of the manufactures product. Per Code: “Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign materials such as paint, plaster, cleaners, abrasives, or corrosive residues.”
COMMERCIAL/INDUSTRIAL CONSTRUCTION ACTIVITY
(Gary Hansen)

Out of the 38 projects listed below, the last one appears to be stalled, 7 are waiting for an item or two to be complete. The City of Marion Building Department has 41 active Commercial projects ongoing and have gotten completion on 2 as of the end of this month. This is just major commercial projects, and does not include any residential houses, condos, additions, accessory buildings, or many other residential and commercial small projects that get inspected.

NEW CONSTRUCTION PROJECTS:
• 6095 Carlson Way – A strip retail center permit has been applied for and has undergone the review process. It is ready to issue when the contractor is ready to start.
• 5491 Hwy 151 – Walmart has applied for permits to redo a couple of areas in their Marion store. Permits are ready for issuance and work could start at any time now.
• 2931 7th Ave – A permit has been applied for to do a build-out for a Dominos Pizza. We are currently waiting for new plans.
• 6270 Partners Ave – We received applications for 6 new commercial Condos. These are the first of 12 and the 3rd phase of this project there.
• 1 Research Center – A permit has been issued to demo a part of the basement of this building. They will be applying for a new permit to finish the project after plans have been completed.
• 4500 N 10th St – Marion Parks Department has submitted plans for review and waiting for engineering on the addition. This will be for an addition to their maintenance building out at Lowe Park.
• 760 11th St – Owners of Snugs have been issued a permit to install a coffee shop in the front of their building.
• 3740 Irish Dr – Plans have been submitted for the new YMCA. They are ready to issue once the contractor is ready to start this project.
• 675 44th St – Contractor is nearly done with work on the area for the first permit phase I, this area is in the finish stage of the project, which is an interior remodel of some lab space for Freund-Vector. The 2nd permit phase II for the exterior addition is slow going with the weather not cooperating.
• 2931 7th Ave – This strip mall retail center is now well under way after the first initial setbacks. The exterior shell is about ready for rough-in inspections and the interior buildouts are coming soon.
• 2931 7th Ave – A buildout has been applied for and is in plan review awaiting for to-scale plans to be submitted.

ON-GOING CONSTRUCTION PROJECTS:
• 1930 7th Ave – Minor remodeling to an existing building to convert this into a live/work unit. Owner will be living on the 2nd floor and their business will be on the main floor.
• 5491 Hwy 151 – Walmart has submitted plans and been issued a permit for some minor remodeling on the interior of their building.
• 295 Tower Terrace Rd – Plans have been submitted, reviewed and the project is well under way for the build-out of an Edward Jones office in the Stonefield Commercial project.
• 6281 N. Gateway Dr – Quincy Recycling is remodeling the back-dock area by adding 6 overhead doors and docks. This will allow for more trucks at one-time. Rough-in inspections have been completed for the interior work being done.
• **1000 7th Ave** – Old Maidrite building: Permit has been re-applied for by a contractor for Community Savings Bank. The intent is to get this finished to a point that it can be leased out.

• **475 Northland Ave** – Work is nearly completed on “The Edison Pub and Eatery” they updated the interior and exterior of this building, making the restrooms more accessible. They have a temporary occupancy and a very short punch list for a final.

• **2258, 2262, 2264, 2274, 2276 Bison St** – Permits have been issued for 5 new buildings on Bison Street. Framing has been started or completed on all 5 buildings. The first building has been issued a temporary occupancy, the next 3 are being trimmed out for final finish, while the fifth is being framed. A final inspection for the next 2 should be coming soon. These are being constructed on Bison Street across from the Sunny Ridge Apartments. This complex, both the original and this 2nd phase will add 92 rental housing unit into the city for the Housing Division to inspect.

• **710 10th St** – Rough-ins have been approved and finish work continues for the remodel of the upper floor of the building located at 710 10th Street. Remodel will include an office suite on the second floor above the Lillian’s of Marion location.

• **160 35th St** – The new shop for Delany Concrete is well underway with interior drywall complete and interior finish being done now. This shop will replace the one that was destroyed by fire. The owner is currently able to occupy the shop area.

• **295 Tower Terrace Rd** – Construction continues on a new commercial shell only building. Rough-ins to the structure are almost complete and build-out permits are starting to come in for review and construction.

• **312, 316 44th St** – 2 twin Commercial Condo buildings have been started, foundations and the floors are in and structure will be following soon.

• **1029 Blairs Ferry Rd** – The steel structure is mostly complete, underground work has been complete and the floors are being poured with interior work starting soon for the new Timberline building.

• **2823 7th Ave** – At the 4-story hotel painting and finish work has started on the top 3 floors 1st floor Rough-ins and drywall work have been completed. Occupancy inspections including alarms and unit inspections will be coming in early May. This is for the new TownePlace Suites Hotel which is hoping for a May/June opening.

• **4500 10th St** – Concrete block has been laid up the roof and interior work is being done now, with a June occupancy expected, at the Lowe Park structure for the new restrooms.

• **790 11th St** – The first unit has been completed and granted an occupancy. The other units will likely wait to be finished at a later date. This is for 4 single family condo units above the Bistro 319 Restaurant.

• **5609 Business Ln** – Burger Homes has completed 2 of the 4 commercial warehouses with occupancies coming soon. The last 2 are likely to start this summer or fall.

• **3790 3rd Ave** – The foundation and framing has been started for an addition at the Rogers Concrete building. Also, the interior remodel has a punch list including handrails and a landing roof to complete that permit. Project will continue as weather permits.

• **720 Oakbrook Dr** – The Views, a skilled care facility, all areas are having the finishing touches put on. They are expecting a May occupancy with a June 1st open house.
• **780 11th St** – A Temporary Occupancy has been issued for the upstairs apartments while the main level restaurant is being finished for Shorts restaurant.

**PROJECTS REQUIRING FOLLOW-UP INSPECTIONS:**

• **5992 Carlson Way** – The Kwik Star convenience store has been granted an occupancy with a few exterior items to be completed in the spring for a final occupancy which they are hoping for in early spring.

• **6240 Partners Ave** – Temporary Occupancy’s have been issued for all 4 buildings with a spring final expected to allow for grading and landscaping.

• **4151 3rd Ave** – Interior framing of the 2nd warehouse storage building has been put on hold. One area has a Temporary Occupancy and they will wait until they have occupants to finish the balance of the interior of the building.

• **6611 Partners Ave** – Spee-Dee delivery building has been granted an occupancy, they have a few exterior items to be completed in the spring.

• **2900 Indian Creek Rd** and **2127 27th St** - Work continues and will for an undetermined time due to code issues for bathroom remodels and ADA upgrade for Indian Creek and Wilkins Elementary schools. These will likely be finished in the summer after school is out.

• **6345 Partners Ave** – A Temporary Occupancy has been granted, building work has been completed. They need to have the trail/sidewalk finished before a Final is issued. This is for the new Ross Vet Clinic.

• **861 62nd St** – Finish work is being completed and a Temporary Occupancy has been granted with a small punch list to be completed for a plumbing shop/warehouse.

• **1204 7th Ave** Mixed Use Project, Capital Commercial: No new permits have been pulled, and no has work began. This building is owned by Community Savings Bank.

**COMPLETED PROJECTS:**

• **1190 Twixt Town Rd** – Remodeling of the Shultz Strings building, has been completed and a Final Occupancy granted

• **1895 Red Fox Way** - A Final Occupancy has been given for 2 new self-storage buildings.

**CODE COMPLIANCE DEPARTMENT**

Compiled by Matt Newhouse - Code Compliance Coordinator

Warmer weather and melting snow bring people outside. This leads to an increase of garbage and dog feces complaints. Staff has been busy investigating every complaint that comes in.

**EXISTING COMPLAINTS OF INTEREST:**

**270 5th Avenue (Kathleen Kelley)**

A complaint was received about brush piled in the front yard of the home. Upon investigation multiple property maintenance items were observed. Contact was made with Ms. Kelley who was aware of the issues and cited the winter weather as the reason for waiting to repair the noted items. No progress on the repair of the home has been made as of this report.

• There has been no change with the condition of this property. The last communication I had with Ms. Kelley and the contractor she had lined up was they will be starting work in the spring when the weather is more conducive for roof replacement.
• Kathleen has hired a roofer to replace the roof on her house and patch the garage. They will be totally removing the porch instead of repairing it. No permit has been obtained yet and calls have been made to try and speed up the process.

• D & D Roofing has obtained a permit to replace the roof but no work has been initiated.

• No progress on the repair of the property. Several phone calls have gone unanswered. Abate letter with a short completion time will be drafted and sent out at the beginning of July.

• Staff has been informed of D & D being informed that they will not be doing the repairs. Calls to Kathleen have gone unanswered. An Abatement letter has been drafted and mailed.

• Kathleen informed myself that she was walking away from the property. There was still a bunch of garbage left in the driveway so I coordinated with Parks Department to have the weeds knocked down and a load of garbage taken to the dump. Also, PD checked the home for any illegal activity since the rear door of the home was left wide open. Nothing was found and the home was secured. Kathleen was served with an abatement notice since she is still the owner and responsible for the maintenance of the home.

• A municipal Infraction has been drafted and filed.

• Legal counsel has stated that this property is currently in bankruptcy proceedings as is believed to be close to a resolution. Staff has continued to monitor the property for any signs of the home not being secured and for potential areas of public concern.

• Home remains in Kathleen’s name. Staff continues to monitor the home for public concerns.

• Staff has been advised by our legal counsel that there is nothing we can do until the foreclosure is complete. This process of waiting on the bank has gone on for 6 months now.

• There has been no action taken on this home by either the foreclosing bank or the attorneys.

• Attorney Kara Bullerman has been in contact with US Bank attorney. Ms. Kelley has not deeded the property to the bank yet nor has she contacted them about a deed in lieu. The bank is planning to take title of the property by means of a foreclosure. The foreclosure is being handled by another attorney in the same firm, so he was fairly certain that the petition was waiting for client approval then would be filed.

• The front door to this home has been kicked in and the police have been notified. Kara Bullerman has been in contact with the attorney for the bank to get the home secured.

• The property remains secure. It is slated for sheriff’s sale on July 17, 2018.

• The property was sold back to U.S. Bank. Kara Bullerman will be working on a municipal infraction on the new owner.

• A 675A-10a is being looked at on this property. Anne has taken the lead on this and will be drawing up the paperwork for staff’s review.

• Someone, not sure who, has taken an interest in this property and installed tarps on the roofs of the house and the garage. This is a welcome step but merely a drop in the bucket of what needs to be done on this property. Anne is still pushing forward with the 657A-10a.

• No further corrections have been performed to bring this property into compliance. Anne has started the process for the 657A-10A but nothing has been filed yet.

• Iowa Realty has listed this property. The roofs have been tarped to stop any further damage to the structures. Communications with the realtor have indicated that they have a buyer for this property. Legal is negotiating a correction agreement between the City and the buyer.
• The finalization of purchase of this home is drawing to a close. The buyer has stated that as soon as the pur-
chase is completed, they will start on the repairs and should have no reason to not make the May deadline.
• The home has been sold and permits have been issued to repair the house and the detached garage. Work
began almost immediately.
• Lots of work continues on the property. Mostly demolition work to this point but as soon as the weather
starts to warm up, they will be repairing the roofs of the house and the garage.
• The home and detached garage have been re-roofed and new windows have been installed. Interior re-
model of the home continues.
• **The home is progressing and is nearing completion. The neighbors have commented on how nice it is to
finally have this place looking so good.**

**310 34th Avenue (Sierra Laine Capital)**
This home has been vacant since at least 2013. It has been checked on periodically and has remained secure
and in relatively good condition. This Spring some shingles were blown off. This, in conjunction with the lack of
mowing, and the delinquent taxes, has pushed the neighborhood to contact the Building Department about
the property. The City Attorney was contacted and a push to pursue Iowa code 657a. 10a was started. We also
felt the need to request permission to get into the home which went unanswered therefor a petition to obtain
an administrative search warrant was made and was granted. The search warrant was scheduled for July 2,
2018.
• The search warrant was performed on July 2nd. The home remained in virtually the same condition that it
was during a 2013 inspection. There has been no gas or electric to the home for many years, but the interior
remained in fair condition. This home would then be placed back on the market as soon as possible to limit
the amount of staff’s involvement.
• There has been a lot of email traffic about this property. It seems that we got someone’s attention and
things are moving along towards our goal of this property being occupied, maintained and current on the
property taxes.
• It appears that there is a buyer (Tom Bevard?) for this property but nothing has been confirmed. Home re-
 mains secure and the grass has been mowed.
• There has been no sale of this property yet. A trial date for May 16, 2019 has been set.
• The property has been sold. Staff and legal have obtained a $5,000 payment to cover legal and staff time
spent on this property. Case will be closed.
• **Bevard Properties has obtained a general repair permit and completed all necessary repairs so that this
home is now deemed habitable. This home is an investment property and most likely will be rented.**

**1822 Galway Drive (Cristina Fettkether)**
Roof is in very bad shape. Cristina had moved out about the time of my first contact with her. Squaw Creek Mo-
bile Home Park was working to secure ownership of the home but because she was paid up on rent the first
month there wasn’t much they could do until she becomes delinquent.
• Squaw Creek Mobile Home Park has petitioned to gain ownership of this property and will need to wait
until the end of May to do anything with this property.
• The mobile home has not been repaired or removed yet but does remain unoccupied and secured. The
outside area has been cleaned up and the yard is being mowed.
• The court owns the home and has done nothing to repair or remove the home.
• This home remains but is secure. The management is currently assessing their best options for this home.
• There have been no recent developments on this home. It remains unoccupied and secure but is in real bad
shape.
• Management has received a bid to remove the mobile home. Weather seems to be hindering the completion of it though. Site and home remain secure.
• **This mobile home and others are still slated to be removed. Weather is getting better to allow for the removal of them.**

**940 9th Street (Debra Grulkey)**

A complaint was received about grass clippings that were blown onto the neighbor’s yard. Grass was tall so there was an abundance of clippings everywhere. Investigation found a car parked in the yard that seems to have been there for some time. The roof of the home is in a major state of disrepair and the home is almost completely overgrown with Ivy. A detached garage has major concerns also and will need lots of work to repair it. The rear entry is almost inaccessible because the landing is severely rotten.

• A Notice to Abate was mailed. After receiving the letter, Debra’s daughter contacted staff about what can be done about the items that need attention. She stated that they were trying to sell the house but really have not contacted anyone about selling it. I gave her numbers of a couple contractors in town that deal in flipping homes. Neither one received a call from her. Other than moving the car and cleaning the gutters, no other corrections have been done.
• Debra has retained a realtor to sell the home. There has been some interest in it and appears to be on its way to being purchased. Staff has been in contact with the agent to ensure the new owner will address the pending issues that Debra has not addressed.
• The home has been sold and is currently being assessed. Exterior remains clean and the home remains secure.
• Greased Elbow Investments purchased the home. A permit has been pulled to reside, reroof and replace windows and doors. Work has started after multiple items have been removed from the home.
• Home has been re-sided and re-shingled. It looks a lot better now but there is still a lot of work to be done on the interior and on the detached garage.
• **The new owner has elected to remove the garage. There has been a lot of landscaping going on to repair the years of neglect. Home is nearly completed on the exterior. Lots of repairs still going on the interior.**

**4488 Pepperwood Hill SE (Matthew Bliss)**

An anonymous complaint was received about work being performed without a permit. While investigating it became evident that there is property maintenance issue as well. Door hangers were left and garnered no response. A Stop Work order was left which got the attention of the owner and permits have been issued. Clean up of the yard has yet to be completed.

• Initial clean up of the property is slow. A pile of material which looks like recyclables remains in the middle of the yard. Other material appears to have been used to place a new roof on the home.
• Permits have been obtained and the property has been cleaned up. An assessment of the property will be made after the first of the year.
• Snow cover has made it difficult to see if the yard is in compliance, but no new materials have been placed on top of the snow at this point.
• **Work continues and the property remains in order.**

**684 8th Avenue (Lorna Sweeney)**
Staff was given notice of an excess amount of vehicle parts on this property again. Investigation revealed that a complete truck was dismantled on the property for the sole purpose of swapping parts out with another vehicle on the property. There was also a large scrap pile located in the rear of the property. This property has had several complaints of the same nature on it. An Order to Abate was drafted and sent giving the owner 2 weeks to abate the nuisance. Most of the truck parts have been picked up and relocated but the scrap pile remains after the deadline. Staff has instructed legal to start a municipal infraction on this property.
• Legal started the process of a municipal infraction a few weeks after they were instructed to. During this time the estate was closed and the legal owner is now Lorna’s grandson Brent. All prior paperwork needs to be re-filed with Brent’s name on it because of this.
• A new municipal infraction was drafted and sent to Brent. We are waiting for a response from him or his attorney.
• Brent filed a response and a court date of March 12th has been set. Brent has been removing items from the property, so it appears that he wishes to comply with the demands. If the property is in compliance prior to the court date staff will suggest that the municipal infraction penalties be dropped and an agreement will be presented to not continue the dismantling of vehicles in Brent’s driveway going forward.
• An agreement was written up and signed by both parties. Brent agrees to not perform any more major repairs or dismantling of vehicles in his driveway. Brent also agreed to complete all his outstanding construction permits. Brent has until mid-April to finish all items on the agreement.
• **Brent has completed the deck outside the kitchen addition. There is still a small amount of debris left in the rear yard to be cleaned up. Brent also has some items to complete on the addition so that the permit can be closed out.**

**660 – 670 51st Street (Richard Havlik)**
An ongoing case started in response to the vehicle disassembly process at these two properties has now included the pursuing of multiple nuisances. Two notices to abate requesting all junk and junk vehicles be removed have been drafted and delivered. The completion date has been set at 12/17/2018. Richard has filed an appeal and is requesting more time to complete the clean-up.
• There has been an extremely large amount of verbal and email chatter about this property, but the conditions have not changed at all. Richard seems to be under the impression that the City will be removing all the vehicles even with myself and others informing him that will not be the case. As of the end of December, Richard still has not secured representation.
• Representation for Richard has made contact with staff and was directed to discuss the matter with the city attorney. Kara Buckerman has been in contact.
• There has been no report from Kara regarding this matter. No actions have taken place at the property to remove items or vehicles. Everything there is snowed in and frozen to the ground.
• It has been reported that the tenant at this property has been evicted and the cleanup can now proceed. Still no removal of any junk or junk vehicles has been observed.
• **Tenant has been evicted and clean up was started. The tenant stepped back in and threatened legal action if the removal of the vehicles continues. The cleanup process has since ceased until this situation is remedied. A timeline for completion was requested to be drawn up by Kara Bullerman who wanted to reach out to the opposing attorney before she proceeded.**

**1301 6th Street (Ken Spence)**
Yet another complaint was received on this property regarding litter or tipped over garbage containers. The complaint was verified, pictures taken, and contact made with Ken through email. Ken did clean up the mess but did not follow through with covering the full garbage cans he still had on site as requested in the email.
• And another complaint was received on the condition of a tenants living space. After an inspection of her space and the areas she has access to, Ken was served with a notice of the violations found and for the scheduling of a new housing inspection instead of waiting until the scheduled September inspection. Housing inspection is scheduled for the third week of April.
• **Ken has elected to remove all the tenants except one to forgo the installation of deadbolts and addresses on each individual rooming unit. There is one tenant left there for the meantime. A certificate of inspected housing has been issued to this property but can be revoked for any future violations. Staff will continue to monitor this address.**

**1614 Mary Drive (Zach Schminkey)**
PD requested that staff assist them with housing issues while they perform a search warrant. Exterior of the home had a lot of debris as well as the interior. There was a fire in the home prior to the search warrant and was never repaired. Owner was attempting to repair it without permits or inspections. There was lots of exposed wires and many other code violations noted in the home. Staff took pictures and condemned the home. Occupants returned sometime there after and proceeded to toss multiple items out the front door. Staff is currently working with Squaw Creek Village to get the items removed from the property.
• **Squaw Creek Mobile Home park has elected to clean up the exterior. The home remains unoccupied and the court has proceeded with their eviction process and anticipate they will gain ownership of the home.**
379 8th Avenue (M&T Property Ventures LLC)
Staff stumbled upon this home while investigating a different complaint. Tenant has not removed trash from the property for some time. Currently working with the landlord to remove it.
- **Repeated attempts were made to contact the tenant and the owners about the garbage in the rear yard. An abatement order was sent giving them 24 hours to comply. M&T finally removed the items. There is a very high likelihood that this property will fall back into non-compliance.**

**NEW OR ITEMS OF INTEREST:**

1565 7th Avenue (Idella Hogan)
Staff has identified several issues with the condition of this home. Pictures were taken and a friendly letter was mailed asking for cooperation with the correction of these items. The requests of the letter went unanswered and an Order to Abate was drafted and sent. The time frame given to remove the garbage from the driveway was not met. Staff made several attempts to contact and finally spoke with Idella’s son Dwight. He was aware of the issues and agreed to act. As of April 30th, no action has been taken to remove the garbage or to perform any property maintenance items noted in the order. Idella has until 5/2/2019 to remove the garbage and until 5/27/19 to address the remaining items within the order to abate.

**GENERAL INFORMATION:**

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There were 9 new complaints and 22 complaints were closed this month.