



CITY 2010077166



AUG 27 2010 10:06 P 13

B City Nokee 23-32320
13 BHP C/O COMP BW
2 DE SCAN PY

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
8/27/2010 10:06:23.42



2010077166

THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT

Return To: City of Omaha
Planning Department
Code Enforcement
1819 Farnam St, Rm. 1003
Omaha, NE 68183

Check Number



City of Omaha
Jim Suttle, Mayor

Planning Department

Omaha/Douglas Civic Center
1819 Farnam Street, Suite 1003
Omaha, Nebraska 68183
(402) 444-5150
Telefax (402) 546-0714

NOTICE OF VIOLATION

August 26, 2010

R. E. Cunningham, RA, F.SAME
Director

John E. Schmidt
5630 S. 21 St.
omaha, NE 68105

Parcel No.: 0473000221

Legal Description: The South 63' of the West 150' of Lot
28 & the West 148' of Lot 33, Redick's 2nd Addition

This notice concerns the Property at: **907 S 025 ST Apt. No. 11B Apartment Interior.**

The Property is in violation of the Omaha Municipal Code. The violations currently known to exist on this Property are listed in the attached Violations List.

You are ordered to repair or cure the said violations by October 25, 2010. A follow-up inspection, to determine whether the violations have been repaired or cured and whether the Property can thereby be released, will be scheduled on or shortly after that date, or sooner if you so request.


This occupied Property is declared to be unsafe, unfit for human occupancy, or unlawful, because of the violations so designated in the attached Violations List. If any of those designated violations are not cured within the time period stated above, the Property will be placarded, and occupancy will be prohibited until the violations are cured and released.


While the necessity of City permits to conduct the necessary work will depend on the method of repair chosen by the Property owner, it presently appears that the following types of permits will have to be obtained from the City to perform the necessary work: **Building, Plumbing**

Any person directly affected by this notice may appeal to the Omaha Building Board of Review by filing a written appeal application form and \$100.00 filing fee with the office of the City Permits and Inspections Division, Omaha/Douglas Civic Center, 1819 Farnam Street, Suite 1100, Omaha, Nebraska, within 20 days of the date of this notice (add an additional three business days if this notice was sent by regular mail). The appeal application shall state all grounds for objection to this notice.

If you desire clarification of this notice or of any of the violations listed, please call the undersigned between the hours of 8:00 a.m. and 9:30 a.m. and arrangements will be made to assist you.

Sincerely,


Yvonne Barna
Code Inspector, 402-444-7735


Kevin J. Denker
Chief Code Inspector

C: Citizens State Bank, P.O. Box #68, Oakland, IA 51560

**The City of Omaha Planning Department
Housing Division
Permits and Code Requirements**
for property address: 907 S 025 ST Apt. No. 11B
Structure Type: Apartment-Interior-Apt.11B
August 26, 2010

The following permits are required for the primary structure:

A Building permit is required for the amount of \$2,000.00. Note: The fee charged for a Building permit is based on the total amount of estimated labor and material costs.

<input checked="" type="checkbox"/> General Repair	<input checked="" type="checkbox"/> Window Replacement	Interior Inspection.
Fire	Soffits, Gutters, etc.	Requested for the following reason(s) :
Reroof	Kitchen Remodel	
Remove Existing Roof	Bath Remodel	
Reside	Plans required	
Remove existing siding	Fence	
Basement Finish	Decks/Porches	
Retaining Wall	Fire Escape	

Separate Permits required for the following:

Electrical Plumbing Mechanical Wreck

Special Code Requirements:

Plumbing Requirements-

Under 131-135. Chapter 49. Bring plumbing service up to code. A licensed, bonded, plumbing contractor is required to make repairs. A City of Omaha plumbing permit and an inspection by the City Plumbing Inspector is required for conformance.

Other requirements: A letter from a qualified and reputable roofing contractor stating condition and repairs is required and to be given to this inspector before permits are issued.

Violations List

August 26, 2010

John E. Schmidt
5630 S. 21 St.
omaha, NE 68105

Re: 907 S 025 ST Apt. No. 11B
Inspected by: Yvonne Barna
Structure Type: Apartment

Violations and corrective action:

Owner Violation List items

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u> <u>Repaired</u>
<p>043-101. Generally. All construction or work for which a permit is required shall be subject to inspection by the building official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have special inspection as specified in the building code as adopted by this jurisdiction.</p> <p>Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of the building code, this Code or other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of the building code, this Code or other ordinances of the jurisdiction shall not be valid.</p> <p>It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.</p> <p>A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans. (Ord. No 33582, SS 1(43-101), 6-27-95)</p>	<p>Apartment Interior. Construction work shall remain accessible & exposed for inspections until approved.</p>	
<p>043-71. Required. Except as specified in section 43-72 of this Code, no building or structure regulated by this Code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official. (Ord. No. 33582 SS 1(43-71), 6-27-95)</p>	<p>Apartment Interior. General repair permits are required for roof replacement, exterior and interior wall surface repair, window and door repair, non-structural replacement.</p>	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation Repaired</u>
<p>043-71. Required. Except as specified in section 43-72 of this Code, no building or structure regulated by this Code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official. (Ord. No. 33582 SS 1(43-71), 6-27-95)</p>	<p>Apartment Interior. General Repair-Building permit required when repair labor and materials are valued over \$500.</p>	
<p>043-91. Permit Fees. Fees shall be assessed in accordance with the provisions of this section. The fee for each building permit shall be as set forth in Table 43-91.</p>	<p>Apartment Interior. Fee shall be assessed in accordance with the provisions of this sections.</p>	
<p>The determination of value or valuation for the purpose of assessing the permit fee shall be made by the building official. The value to be used in computing the building permit and plan review fees shall be the total value of all construction work for which the permit is issued.</p>		
<p>Penalty fees: When construction begins before the permit has been issued, the applicant shall pay a penalty fee. Said fee shall be quadruple the amount of the regular fee.</p>		
<p>No quadruple fee penalty set forth in this chapter shall be imposed if the work is of an emergency nature where a delay in performing the work may cause a risk to life or health or will significantly increase the risk of property damage, provided a permit is applied for within 48 hours of the start of the work, in which case no penalty shall be imposed.</p>		
<p>043-94. Commencing work without permit. Whenever any work for which a permit is required has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued. A penalty fee shall be assessed in accordance with table 43-91. Payment of the penalty fee shall not exempt the applicant from making any changes that may be required to bring the work into compliance with the city's building, zoning and other codes. (Ord. No 33582, SS 1(43-94), 6-27-95)</p>	<p>Apartment Interior. Whenever any work for which a permit is required has been commenced without first obtaining said permit a penalty fee shall be assessed.</p>	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation Repaired</u>
<p>048-101. Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the building board of review, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served or posted, as the case may be. If the decision, notice or order was served by first class mail, then three (3) business days shall be added to the time for appeal. Appealable issues shall include, but not be limited to, notices of violation, repair orders, placards, notices to vacate, closure orders, the results of inspections, orders to purchase permits or pay fees, and the denial of permits. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means, or that the strict application of any requirement of this code would cause an undue hardship. To the extent that there are any differences in the procedures for appeals to the board under this code and under Chapter 43, the procedures set forth in this code shall govern appeals occurring under this code.</p>	<p>Apartment Interior. Owner. Any person directly affected by this notice shall have the right to appeal.</p>	
<p>048-102. Stays of enforcement. An appeal of a notice or order (other than an Imminent Danger notice or order) shall stay the enforcement of the administrative notice and order until the appeal is heard by the board, but shall not stay the criminal prosecution of any violation of any section of this code.</p>	<p>Apartment Interior. Owner.</p>	
<p>048-12a. Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.</p>	<p>Apartment Interior. Owner.</p>	
<p>048-13. Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the City's Building Code, Plumbing Code, Mechanical Code, Fuel Gas Code, Fire Code and Electrical Code, all as defined in this code. Nothing in this code shall be construed to cancel, modify or set aside any provisions of Chapter 55 of the Omaha Municipal Code.</p>	<p>Apartment Interior. All city codes apply. Building Code, Plumbing Code, Electrical Code, Mechanical Code, Fire Code.</p>	
<p>048-15. Workmanship. Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.</p>	<p>Apartment Interior. All repairs, alterations, maintenance work & installations shall be made in a workmanlike manner, and in accordance with manufacturer's installation instructions.</p>	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
048-25. Fees. The fees for activities and services performed by the city in carrying out its responsibilities under this code shall be as indicated in the following schedule: Reinspection, charged once for each notice per dwelling unit \$41.00	Apartment Interior. Owner. Fee shall apply.		
048-33a. Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.	Apartment Interior. Code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies.		
048-34. Right of entry. The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.	Apartment Interior. The code official is authorized to enter the structure or premises at reasonable times.		
048-43. Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the city. a) Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official or building board of review shall determine the testing procedures. b) Testing agency. All tests shall be performed by an approved agency. c) Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records.	Apartment Interior. A roof inspection by a reputable roofing contractor registered with the State of Nebraska is required and a copy of the report provided to inspector.	Yes	
048-44. Material and equipment reuse. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved.	Apartment Interior. Owner.		
048-51. Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violations of any of the provisions of this code.	Apartment Interior. Any violation of any provision of this code is unlawful.		

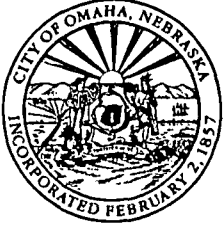
<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit</u>	<u>Designation</u>	<u>Repaired</u>
<p>048-53. Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with this code shall be deemed guilty of a misdemeanor, as provided in Section 1-10 of the Omaha Municipal Code. If the notice of violation is not complied with, the code official may institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.</p>	<p>Apartment Interior. Any person failing to comply with a notice shall be prosecuted.</p>			
<p>048-54. Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.</p>	<p>Apartment Interior. Any person who violates a provision of this code shall be prosecuted within the limits provided by state or locals laws.</p>			
<p>048-61. Notice to owner or to person or persons responsible. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in sections 48-62 and 48-63. Not more than one notice of violations shall be issued for the same violation. Notices for procedures declaring property unsafe or unfit for human occupancy shall also comply with Division 8.</p>	<p>Apartment Interior. Owner/Occupant</p>			
<p>048-65. Transfer of ownership. If the ownership of a property subject to a pending notice or order under this code is to be transferred, the transferring owner shall report to the city housing division the impending transfer of the property and the name and address of the transferee, at least seven (7) days prior to the transfer.</p>	<p>Apartment Interior. Inspector must be notified of pending transfer of ownership seven (7) days prior to transfer.</p>			
<p>048-71a. General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be declared as such by notice pursuant to the provisions of this code.</p>	<p>Apartment Interior. Decayed, dilapidated and deteriorated structure.</p>			Yes
<p>a. Unsafe Structure. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible.</p>				

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Unfit Repaired</u>
<p>048-71a. General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be declared as such by notice pursuant to the provisions of this code.</p> <p>a. Unsafe Structure. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible.</p>	Apartment Interior. Deteriorated windows.	Yes	
<p>048-71a. General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be declared as such by notice pursuant to the provisions of this code.</p> <p>a. Unsafe Structure. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible.</p>	Apartment Interior. Deteriorated doors.	Yes	
<p>048-71a. General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be declared as such by notice pursuant to the provisions of this code.</p> <p>a. Unsafe Structure. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible.</p>	Apartment Interior. Deteriorated flooring throughout.	Yes	
<p>048-71a. General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be declared as such by notice pursuant to the provisions of this code.</p> <p>a. Unsafe Structure. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible.</p>	Apartment Interior. Water is coming through ceiling.	Yes	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
<p>048-71a. General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be declared as such by notice pursuant to the provisions of this code.</p> <p>a. Unsafe Structure. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible.</p>	Apartment Interior. Interior surfaces are deteriorated and damaged.	Yes	
<p>048-71a. General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be declared as such by notice pursuant to the provisions of this code.</p> <p>a. Unsafe Structure. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible.</p>	Apartment Interior. Open holes and penetrations throughout.	Yes	
<p>048-74. Placarding. Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard reading "Danger - Closed" or similar language, and a statement of the penalties provided for occupying the premises, operating the equipment, removing the placard, or failing to close the premises or keep the premises closed.</p>	Apartment Interior. Upon failure to comply within the time given, structure shall be placarded.		
<p>048-75. Prohibited occupancy. It shall be unlawful for any person to occupy a placarded premises or to operate placarded equipment, and for any owner or any person responsible for the premises to let anyone occupy a placarded premises or operate placarded equipment. Such persons shall be subject to the penalties set out in section 1-10 of this Code.</p>	Apartment Interior. Upon failure to comply with repairs as ordered within the time directed in this Notice of Violation, structure shall be vacated.		
<p>048-76. Removal of placard. The code official shall remove the placard whenever the defect or defects upon which the placard was based have been eliminated. Any person who defaces or removes a placard without the approval of the code official shall be subject to the penalties provided by this Code.</p>	Apartment Interior. Danger-closed sign shall not be removed until directed by the City of Omaha.		
<p>048-77. Filing with Register of Deeds. If a notice declaring a property unsafe or unfit for human occupancy is unsuccessfully appealed or if the time for such appeal has passed without the filing of such appeal, then the code official may file the said notice against the property with the Register of Deeds. Upon correction of the relevant violations, the code official shall file a release of the notice with the Register of Deeds, without cost to the owner.</p>	Apartment Interior. Structure determined to be unfit/unsafe.		

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
301.2. Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit or premises which they occupy and control.	Apartment Interior. Owner. Entire Structure.		
301.3. Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.	Apartment Interior. Owner. If structure is to be vacated, it must be maintained in a clean, safe, secure, and sanitary condition.		
304.13. Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.	Apartment Interior. Missing storm window inserts on all sides.	Yes	
304.15. Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guest rooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.	Apartment Interior. Deteriorated storm door and door jamb.	Yes	
304.3. Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).	Apartment Interior. No apartment number(s) on door(s).	Yes	
304.7. Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.	Apartment Interior. A roof inspection by a reputable roofing contractor registered with the State of Nebraska is required and the report given to inspector.	Yes	
305.1. General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.	Apartment Interior. Owner/occupant. Interior of the apartment is in disrepair, unsanitary and is a blighting influence on the neighborhood.	Yes	
305.3. Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.	Apartment Interior. Ceiling is deteriorated and stained from water coming through from above.	Yes	

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>	<u>Repaired</u>
305.3. Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.	Apartment Interior. Deteriorated kitchen cabinets; inside and out, and countertops.	Yes	
305.3. Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.	Apartment Interior. Wall around window is falling in.	Yes	
305.3. Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.	Apartment Interior. Damaged, soiled, deteriorated and abraded interior surfaces including walls, floors, ceilings, window and door surfaces and trim.	Yes	
305.3. Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.	Apartment Interior. Apparent mold is on interior ceiling and wall surfaces.	Yes	
305.4. Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.	Apartment Interior. Deteriorated flooring throughout.	Yes	
305.4. Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.	Apartment Interior. Kitchen flooring is coming up.	Yes	
305.6. Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.	Apartment Interior. Deteriorated interior doors, jambs and hardware throughout.		
501.2. Responsibility. The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this chapter.	Apartment Interior. Owner. The owner of the structure shall provide and maintain plumbing facilities and fixtures in compliance.		
504.1. General. All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.	Apartment Interior. Abraded finish on tub.	Yes	
703.2. Opening protectives. Required opening protectives shall be maintained in an operative condition. All fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.	Apartment Interior. Open holes and/or penetrations through floors and or walls and or ceilings. Fire caulking is required.	Yes	



City of Omaha
Jim Suttle, Mayor

ORDER TO VACATE
August 26, 2010

Planning Department

Omaha/Douglas Civic Center
1819 Farnam Street, Suite 1003
Omaha, Nebraska 68183
(402) 444-5150
Telefax (402) 546-0714

R. E. Cunningham, RA, F.SAME
Director

Occupants:
907 S 025 ST, Apt. No.11B
Omaha, NE 68105

This order concerns the Property at **907 S 025 ST Apt. No. 11B- Apartment**

You are ordered to vacate this Property by **September 26, 2010** because this Property presents dangers to its occupants and users. Omaha Municipal Code section 48-81 makes it unlawful to enter the structure, except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

Any person directly affected by this order may appeal to the Omaha Building Board of Review by filing a written appeal application form and \$100.00 filing fee with the office of the City Permits and Inspections Division, Omaha/Douglas Civic Center, 1819 Farnam Street, Suite 1100, Omaha, Nebraska, within 20 days of the date of this order (add an additional three business days if this order was sent by regular mail). The appeal application shall state all grounds for objection to this order. While the filing of an appeal will entitle you to a hearing before the Board, due to the emergency nature of this order you are still required to vacate the premises by the date stated above.

If you desire clarification of this order, please call the undersigned between the hours of 8:00 a.m. and 9:30 a.m. and arrangements will be made to assist you.

Sincerely,

Yvonne Barna
Code Inspector
402-444-7735

Kevin Denker
Chief Code Inspector
444-5488

C: John E. Schmidt 5630 S. 21 St. omaha, NE 68105