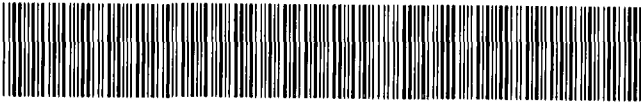


CITY 2014069902



SEP 08 2014 09:13 P 17

*City*  
FEE No Fee. FB 38-17520

C  $\frac{17}{3}$  BKP EXAM *8B*  
IND SCAN PRF

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
9/8/2014 09:13:05.30



2014069902

**THIS PAGE INCLUDED FOR INDEXING**

**PAGE DOWN FOR BALANCE OF INSTRUMENT**

RETURN TO: **City of Omaha**  
**Planning Department**  
**Code Enforcement**  
**1819 Farnam St., Suite 1003**  
**Omaha, NE 68183**

CHECK NUMBER

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City of Omaha  
Jean Stothert, Mayor

**NOTICE OF VIOLATION**  
August 13, 2014

**Planning Department**

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

**James R. Thele**  
Director

Ararcel I. Espericueta  
2682 N. 129 Cr.  
Omaha, NE 68164

Parcel No.: 0125000214  
Legal Description: See Exhibit A

This notice concerns the Property at: **6801 RAILROAD AV Apt. No. 3 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 12, 2014. 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.

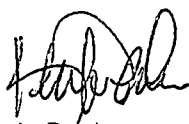
This vacant Property is declared to be unsafe, unfit for human occupancy, or unlawful, because of the violations so designated in the attached Violations List. You are ordered to close the Property and to take measures necessary to prevent occupancy of it within 60 days. Occupancy of the property is prohibited. Of course, if all violations making this property unsafe, unfit or unlawful are repaired or cured by the above date, the property can then be opened and occupied.

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, Electrical, Plumbing, Mechanical**

Any person directly affected by this notice may appeal to the Omaha Building Board of Review by filing a written appeal application form and \$108.00 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,  
  
Todd Shearer  
Housing Inspector, 402-444-5150 x 2110

  
Kevin Denker  
Chief Housing Inspector

C: Commercial Assets c/o Ocwen Loan Servicing LLC, 1661 Worthington Rd., Suite 100, West Palm Beach, FL 33409  
Occupant(s) of 6801 Railroad Ave, Apt 3 Omaha, NE 68107

The City of Omaha Planning Department  
Housing Division  
Permits and Code Requirements  
for property address: 6801 RAILROAD AV Apt. No. 3  
Structure Type: Apartment-Interior  
August 13, 2014

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A Building permit is required for the amount of \$15,000.00. 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 | <input type="checkbox"/> Interior Inspection. |
| <input type="checkbox"/> Fire                      | <input type="checkbox"/> Soffits, Gutters, etc.        | Requested for the following reason(s) :       |
| <input type="checkbox"/> Reroof                    | <input checked="" type="checkbox"/> Kitchen Remodel    |   |
| <input type="checkbox"/> Remove Existing Roof      | <input checked="" type="checkbox"/> Bath Remodel       |   |
| <input type="checkbox"/> Reside                    | <input type="checkbox"/> Plans required                |   |
| <input type="checkbox"/> Remove existing siding    | <input type="checkbox"/> Fence                         |   |
| <input type="checkbox"/> Basement Finish           | <input type="checkbox"/> Decks/Porches                 |   |
| <input type="checkbox"/> Retaining Wall            | <input type="checkbox"/> Fire Escape                   |   |

Separate Permits required for the following:

- Electrical     Plumbing     Mechanical     Wreck

**Special Code Requirements:**

**Electrical Requirements -**

Under 121-142. Chapter 44. Bring electrical service up to code. A licensed, bonded, electrical contractor is required to make repairs. A City of Omaha electrical permit and an inspection by the City Electrical Inspector is required for conformance.

**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.

**HVAC Requirements-**

Under 111-116. Chapter 40. Replacement of a forced air furnace shall be done by a licensed, bonded, H.V.A.C. contractor. A City of Omaha H.V.A.C. permit and an inspection by the City H.V.A.C. Inspector is required for conformance.

# Violations List

August 13, 2014

Ararcel I. Espericueta  
2682 N. 129 Cr.  
Omaha, NE 68164

Re: 6801 RAILROAD AV Apt. No. 3  
Inspected by: Todd Shearer  
Structure Type: Apartment

## Owner Violation List items and Corrective Actions

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<p><b>040-106. Permit required.</b> The installation, alteration, repair or replacement of any air conditioning/air distribution system or exhaust system shall not be undertaken within the jurisdiction of the city without a permit issued by the permits and inspections division prior to said installation.</p>	<p>Apartment. All mechanical repairs and alterations must be made by a mechanical contractor, licensed and bonded by the City of Omaha.</p>	<p>Unsafe/Unfit</p>
<p><b>043-101. Generally.</b> 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. Construction work shall remain accessible &amp; exposed for inspections until approved.</p>	<p>Unsafe/Unfit</p>
<p><b>043-71. Required.</b> 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. General repair permits are required for roof replacement, exterior and interior wall surface repair, window and door repair, non-structural replacement.</p>	<p>Unsafe/Unfit</p>

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>043-91. Permit Fees.</b> 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.	Apartment. Fee shall be assessed in accordance with the provisions of this sections.	

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.

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.

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.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>043-94. Commencing work without permit.</b> 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)	Apartment. Whenever any work for which a permit is required has been commenced without first obtaining said permit a penalty fee shall be assessed.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>044-121. Permit required..</b> Before proceeding to install, alter, repair, relocate, affix or suspend any electrical wiring, or to install or connect any equipment or apparatus which requires electrical wiring to be installed, affixed or suspended to make the same operable, for either interior or exterior wiring, a permit shall be obtained by an electrical contractor or a master electrician from the electrical official at the permits and inspections division.	Apartment. All electrical repairs and alterations must be made by an electrical contractor, licensed and bonded by the City of Omaha. Appropriate electrical permits and final inspections are required.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-12a. Maintenance.</b> 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.	Apartment. Owner and or person or persons responsible.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-12e. Maintenance.</b> Mechanical and plumbing systems, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe and sanitary condition. Devices or safeguards required by an applicable code shall be maintained in compliance with the code edition under which installed.	Apartment. Owner and or person or persons responsible. Both mechanical and plumbing system shall be maintained in property operating condition in accordance with the original design and in safe and sanitary condition.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-13. Application of other codes.</b> 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.	Apartment. All city codes apply. Building Code, Plumbing Code, Electrical Code, Mechanical Code, Fire Code.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-15. Workmanship.</b> 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.	Apartment. All repairs, alterations, maintenance work & installations shall be made in a workmanlike manner, and in accordance with manufacturer's installation instructions.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-25. Fees.</b> 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:	Apartment. Owner. Fee shall apply.	

Reinspection Fees, charged once for each Notice of Violation.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-34. Right of entry.</b> 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. The code official is authorized to enter the structure or premises at reasonable times.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-53. Prosecution of violation.</b> 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.	Apartment. Any person failing to comply with a notice shall be prosecuted.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-54. Violation penalties.</b> 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.	Apartment. Any person who violates a provision of this code shall be prosecuted within the limits provided by state or locals laws.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-61. Notice to owner or to person or persons responsible.</b> 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.	Apartment. Owner and or person or persons responsible.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-65. Transfer of ownership.</b> 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.	Apartment. Inspector must be noticed of pending transfer of ownership seven (7) days prior to transfer.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-71a. General.</b> 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.	Apartment. Open hole and penetrations through floors and or walls and or ceilings.	Yes

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.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-71a. General.</b> 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.	Apartment. plumbing and electrical throughout.	Non-code electrical Yes

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.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-71a. General.</b> 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.	Apartment. The unit is being remodeled without permits.	Yes

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.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-71a. General.</b> 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.	Apartment. HVAC installed without permits.	Yes

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.



Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-71b. General.</b> 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.	Apartment. Building is unsafe or unfit. Electrical, plumbing, & mechanical systems are installed without permits.	Yes

b) Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-71c. General.</b> 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.	Apartment. Unit is unfit for human occupancy.	Yes

c) Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-71d. General.</b> 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.	Apartment. Structure has been altered contrary to law.	Yes

d. Unlawful Structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>048-71d. General.</b> 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.	Apartment. Structure is being altered without permits.	Yes

d. Unlawful Structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<p><b>048-73. Notice.</b> Whenever the code official has declared a structure or equipment unsafe or unfit under the provisions of this Division, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 48-63. If the notice pertains to equipment, it shall also be placed on the equipment. The notice shall be in the form prescribed in Section 48-62.</p>	<p>Apartment. Structure is unsafe.</p>	
Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<p><b>048-74. Placarding.</b> 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 or removing the placard.</p>	<p>Apartment. Upon failure to comply within the time given, structure shall be placarded.</p>	
Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<p><b>048-75. Prohibited occupancy.</b> 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 liable for the penalties provided by this Code.</p>	<p>Apartment. Upon failure to comply with repairs as ordered within the time directed in this Notice of Violation, structure shall be vacated.</p>	
Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<p><b>048-81. Imminent danger.</b> When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited By The Code Official", or similar language. It shall be unlawful for any person to enter or allow any use of such structure or the premises upon which it is located, except for the purpose of securing the premises, making the required repairs, removing the hazardous condition or of demolishing the same.</p>	<p>Apartment. This unit is unsafe and its occupancy has been prohibited by the code official.</p>	Yes

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<p><b>049-300. Required.</b> It shall be unlawful for any person to begin any job of plumbing until a license holder has secured from the permits and inspections division a permit to do such work; provided that no permit will be required for minor repair work as defined in sections 49-400 and 49-303.</p>	<p>Apartment. All plumbing repairs must be made by a plumbing contractor, licensed and bonded by the City of Omaha. Appropriate plumbing permits and inspections are required.</p>	Unsafe/Unfit Designation
Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<p><b>049-300. Required.</b> It shall be unlawful for any person to begin any job of plumbing until a license holder has secured from the permits and inspections division a permit to do such work; provided that no permit will be required for minor repair work as defined in sections 49-400 and 49-303.</p>	<p>Apartment. In any structure where a deficiency list has been issued by the Planning Department, any alterations to the system shall be considered as new work and a plumbing permit is required.</p>	Unsafe/Unfit Designation
Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<p><b>301.2. Responsibility.</b> 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.</p>	<p>Apartment. Owner and or person/persons responsible.</p>	Unsafe/Unfit Designation
Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<p><b>301.3. Vacant structures and land.</b> 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.</p>	<p>Apartment. If structure is to be vacated, it must be maintained in a clean, safe, secure, and sanitary condition.</p>	Unsafe/Unfit Designation
Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<p><b>305.1. General.</b> 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.</p>	<p>Apartment. Owner/Occupant</p>	Unsafe/Unfit Designation

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>305.3. Interior surfaces.</b> 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. The unit is being remodeled without permits.	Yes

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>305.4. Stairs and walking surfaces.</b> Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.	Apartment. Deteriorated/missing flooring, finishes and carpet throughout.	Yes

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>401.2. Responsibility.</b> The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this chapter.	Apartment. Owner. A person shall not occupy as owner-occupant, or permit another person to occupy any premises not in compliance with light, ventilation, and space conditions in this code.	Unsafe/Unfit Designation

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>402.1. Habitable spaces.</b> Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.	Apartment. Windows must meet code for habitable spaces.	Yes

Exception: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoin room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m<sup>2</sup>). The exterior glazing area shall be based on the total floor area being served.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>403.1. Habitable spaces.</b> Every habitable space shall have a least one openable window. The total openable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 402.1.	Apartment. Windows must meet code for habitable spaces.	Yes

Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m<sup>2</sup>). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>404.2. Minimum room widths.</b> A habitable room, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counter fronts and appliances or counter fronts and walls.	Apartment. Rooms must meet code.	Yes

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>404.3. Minimum ceiling heights.</b> Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than 7 feet (2134 mm).	Apartment. Rooms must meet code.	Yes

Exceptions:

1) In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.

2) Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts and similar obstructions.

3) Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet (2134 mm) over not less than on-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet (1524 mm) or more shall be included.

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>404.4. Bedroom and living room requirements.</b> Every bedroom and living room shall comply with the requirements of Sections 404.4.1 through 404.4.5	Apartment. Rooms must meet code.	Yes

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>501.2. Responsibility.</b> 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. A person shall not occupy as owner occupant or permit another person to occupy premises which do not comply.	
<b>504.1. General.</b> 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. All plastic plumbing is non-code. All plumbing repairs must be made by a plumbing contractor, licensed and bonded by the City of Omaha and require permits and inspections.	Yes
<b>504.1. General.</b> 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. Plumbing repairs made without permits or inspections. Quad fee applies.	Yes
<b>506.1. General.</b> All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.	Apartment. Improperly installed waste	Yes
<b>506.2. Maintenance.</b> Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstruction, leaks and defects.	Apartment. Improperly installed drain line.	Yes
<b>601.2. Responsibility.</b> The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this chapter.	Apartment. A person shall not occupy as owner occupant or permit another person to occupy premises which do not comply.	

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>603.1. Mechanical appliances.</b> All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition and shall be capable of performing the intended function.	Apartment. Furnace must be checked by a mechanical contractor licensed and bonded with the City of Omaha. A copy of the mechanical report and repairs must be given to the city inspector. Work has been done without permits.	Yes
<b>604.2. Service.</b> The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the ICC Electrical Code. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.	Apartment. Electrical service and/or panel has been installed without a required Electrical permit issued or finalized.	Yes
<b>604.2. Service.</b> The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the ICC Electrical Code. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.	Apartment. Dangerous electrical. Panel to be checked by licensed electrical contractor for compliance in service entry, panel and proper wiring to electrical code.	Yes
<b>604.3. Electrical system hazards.</b> Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacles and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.	Apartment. The whole unit has been wired without permits.	Yes
<b>701.2. Responsibility.</b> The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.	Apartment. A person shall not occupy as owner occupant or permit another person to occupy premises which do not comply.	
<b>703.2. Opening protectives.</b> 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. Open holes and/or penetrations through floors and or walls and or ceilings.	Yes

Code Section Violated	Location and Nature of Violation	Unsafe/Unfit Designation
<b>704.1. Smoke detectors.</b> Existing Group R occupancies not already provided with single-station smoke alarms shall be provided with approved single-station smoke alarms.	Apartment. All fire protection systems and devices shall be maintained in operable condition.	Yes



## Exhibit A

Lots 6, 7 and 8, Block 3, except the West 7 feet taken for street purposes, in Hoppe's Bonanza Addition, an addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska and the North 1/2 of vacated alley adjoining on the South.