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Received - RICHARD TAKECHI
Register of Deeds, Douglas County, NE

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DEL _____ SCAN _____ FV _____

Temp. 12.4.01

City of Omaha
Planning Department
Omaha/Douglas Civic Center
1819 Farnam Street Suite 1100
Omaha, Nebraska 68183-1100



City of Omaha
Mike Fahey, Mayor

CODE ENFORCEMENT

Planning Department

Omaha/Douglas Civic Center
1819 Farnam Street, Suite 1100
Omaha, Nebraska 68183
(402) 444-5150
Telefax (402) 444-6140

NOTICE OF VIOLATION

February 10, 2004

Robert C. Peters
Director

Thomas H. Penke Tr.
1127 South 127th Street
Omaha, NE 68144

Legal Description: East 30' of lot 20, In Rees Place Add.

This notice concerns the Property at: **2921 MASON ST Duplex Exterior & Apt. #1.**

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 April 13, 2004. 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.

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, 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 \$30.00 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,

Mike Johnson
Code Inspector, 444-5446

Kevin J. Denker
Chief Code Inspector

C: Cohano Investments, LLC % Bryan S. Mick, 2120 South 72nd St. Suite 1250, Omaha, NE 68124
Thomas J. Walz, PO Box #18, Bennington, NE 68007.
Michael J. Walz, 4607 Dodge St, 68132
Douglas E. Hiner, 1424 S 13th St, 68108.

A Lee Schlichtermeier, 1315 Chesterton Dr, Richardson, TX 75080-2802.

Violations List

February 10, 2004

Thomas H. Penke Tr.
1127 South 127th Street
Omaha, NE 68144

Re: 2921 MASON ST
Inspected by: Mike Johnson
Structure Type: Duplex

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>
<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>	Duplex. Front entry door window is broken out.	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>	Duplex. Deteriorated bathroom floor.	Yes

(1)

2921 MASON ST

Unsafe/Unfit DesignationLocation and Nature of Violation

Yes

Duplex. Furnace is very dirty and rusted.

Yes

Duplex. A.B.S. waste pipes are not City Code in over and under duplex.

Code Section Violated

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.

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Duplex. Owner.

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.

Yes

Duplex. Front storm door is missing hardware and bottom panel.

303.13. Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

Yes

Duplex. Glass is broken out of front and back door windows.

303.13.1. Glazing. All glazing materials shall be maintained free from cracks and holes.

Yes

Apartment #1. Window ropes missing throughout.

303.13.2. Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

(2)

2921 MASON ST

Code Section ViolatedUnsafe/Unfit
DesignationLocation and Nature of Violation

303.2. Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained, weather resistant and water-tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

Duplex. Peeling paint at front door, door jamb, and trim.

304.3. 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 #1. Hole in wall from a door knob. Yes

304.3. 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 #1. Water stains on ceilings throughout. Yes

304.3. 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 #1. Mold and mildew on wall in closet. Yes

304.3. 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 #1. Deteriorated bathroom floor. Yes

304.3. 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 #1. Deteriorated kitchen floor. Yes

304.3. 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 #1. Deteriorated kitchen countertop. Yes

Code Section ViolatedUnsafe/Unfit Designation

<u>Code Section Violated</u>	<u>Location and Nature of Violation</u>	<u>Unsafe/Unfit Designation</u>
304.3. 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 #1. Mold and mildew under kitchen sink.	Yes
304.3. 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 #1. Unsanitary carpet throughout.	Yes
304.6. 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 #1. Closet door knob missing.	
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 #1. Owner.	
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 #1. Large chip in bathroom sink.	Yes
504.3. Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.	Apartment #1. Plumbing waste system is a improper installation as A.B.S. plastic is non-code in an over and under duplex.	Yes
601.2. Responsibility. 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 #1. Owner.	
603.1. Mechanical appliances. 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 #1. Furnace is very dirty and rusted.	Yes

Unsafe/Unfit
Designation

Location and Nature of Violation

605.1. Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

Apartment #1. Light fixtures missing globes throughout.

704.1. Smoke detectors. Existing Group R occupancies not already provided with single-station smoke alarms shall be provided with approved single-station smoke alarms.

Apartment #1. Smoke detectors not working.

(5)

2921 MASON ST