

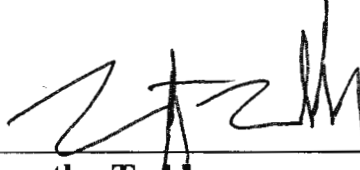


Certification to the City Council

In Re: 600 Mary St.

I hereby certify that the demolition and removal were not performed within the time frame stated in the Findings of Fact, Conclusion of Law and Final Order.

I further certify that no appeals are pending and hereby seek authority from the City Council for the City to conduct the demolition and other work required by such order and to seek reimbursement or a special tax bill as provided by law.



**Timothy Teddy,
Director of Community Development
City of Columbia, Missouri**

Date: 8/18/16

600 Mary St.

Public Nuisance Structure

Ref: Proof of service for certification to city council.

AFFIDAVIT

of

Bruce E. Martin

Senior Code Enforcement Specialist

August 17, 2016

STATE OF MISSOURI
COUNTY OF BOONE
CITY OF COLUMBIA

AFFIDAVIT OF Bruce E. Martin, Sr. Code Enforcement Specialist

COMES NOW Bruce E. Martin, Sr. Code Enforcement Specialist for the City of Columbia, Missouri, having been duly sworn upon his oath, and states: That I am employed by the City of Columbia, since July 5, 1983 and I am currently assigned to the Community Development-Office of Neighborhood Services and have been working code enforcement since May 29, 2007.

On July 6, 2016, I prepared mailings of the Proposed Findings of Fact, Conclusion of Law and Final Order for the Public Nuisance Structure located at 600 Mary St. Columbia, Mo. to Paul F. Bruinsma & Wells Fargo Home Mortgage which were mailed on July 7, 2016 by Certified Mail and 1st Class Mail. Delivery of the mailings by Certified Mail records indicate service was completed. The Certified Mailing to Paul F. Bruinsma indicates delivery date of July 16, 2016 & Wells Fargo Home Mortgage did not have a delivery date posted.

On July 7, 2016 I posted a copy of the Order at the property line next to the water meter in the front yard of 600 Mary St. and took a photo of the posting.

I have received copies of two (2) mailings of request from Wells Fargo Home Mortgage addressed to Paul F. Bruinsma notifying him of the Notice of Violation and to notify Wells Fargo Home Mortgage when the violation correction has been satisfied.

The owner has not complied with the Order to demolish the structure at 600 Mary St. Columbia, Mo. within the time period to have been completed by July 31, 2016. The property was viewed on August 16, 2016 and found not demolished. There have been no Demolition Application or Demolition Permit issued to the owner as of August 17, 2016 at the beginning of this date of August 17, 2016.

The aggrieved party has not made any appeal to the Boone County Circuit Court as of the beginning of the day of August 17, 2016 which is more than thirty (30) days past the date of delivery of the Certified Mailing to Paul F. Bruinsma.

I have attached copies of the Certified Mailings and the 1st Class Mailings sent of the Proposed Findings of Fact, Conclusion of Law and Final Order for the Public Nuisance Structure located at 600 Mary St. Columbia, Mo., posting of the Order, copies of mailings received from Wells Fargo Home Mortgage to Paul F. Bruinsma and copies of the Missouri Courts records of filings. The Missouri Court Records of filings indicate there have been no appeals by the aggrieved party.



Further Affiant sayeth not.

Paul F. Bruinsma

Subscribed and sworn to before me this 17 day of August, 2016.

Cheryl Johnson
Notary

Mail Certification

Delivery by Certified Mail & 1st Class Mail

of

Proposed Findings of Fact, Conclusion of Law & Final Order

To: Paul F. Bruinsma

Wells Fargo Home Mortgage

COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

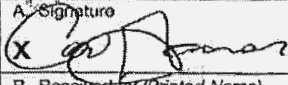
1. Article Addressed to:
PAUL F. BRUINSMA
P.O. BOX 37
WAYNE CITY, ILLINOIS
62895-6289



9590 9403 0562 5173 4151 34

2. Article Number (Transfer from service label)
7013 2250 0002 4428 2859

COMPLETE THIS SECTION ON DELIVERY

A. Signature


Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery
7-11-14

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	

City of Columbia, Mo.
 Community Development/ONS
 P.O. Box 6015
 Columbia, Mo. 65205-6015

PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt

PS Form 3809, August 2006 See Reverse for Instructions


Sent to: **Paul F. Bruinsma**
 Street, Apt. No., or PO Box No.: **P.O. Box 37**
 City, State, ZIP+4: **Wayne City, Illinois 62895-6289**

Postage: **0.51**
 Certified Fee: **0.51**
 Return Receipt Fee: **0.00**
 Restricted Delivery Fee: **0.00**
 Endorsement Required: **0.00**
 Total Postage & Fees: **\$ 7.78**

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U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

7013 2250 0002 4428 2859
 7013 2250 0002 4428 2859
 7013 2250 0002 4428 2859



62895-6289
 62895
 BRUINSMA

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
WELLS FARGO HOME MORTGAGE
16 CORRESPONDENCE RESOLUTION
P.O. BOX 10335
DES MOINES, IOWA 50306



9590 9403 0562 5173 4151 41

2. Article Number (Transfer from service label)
7013 2250 0002 4428 2842

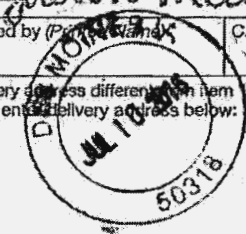
PS Form 3811, April 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X *Jocelyn Miller* Agent Addressee

B. Received by (Print Name) *Jocelyn Miller* C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No



3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery (over \$500)
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

Domestic Return Receipt

City of Columbia, Mo.
 Community Development/ONS
 P.O. Box 6015
 Columbia, Mo. 65205-6015

See Reverse for Instructions PS Form 3800, August 2006

On State ZIP+4
DES MOINES, IOWA 50306

Street, Apt. No., or PO Box No.
P.O. Box 10335

City, State, and ZIP+4®
WELLS FARGO HOME MORTGAGE RESOLUTION



Total Postage & Fees	\$ 7.78
Postage	\$
Certified Fee	
Return Receipt Fee (Enforcement Required)	
Restricted Delivery Fee (Enforcement Required)	

OFFICIAL USE

For delivery information visit our website at www.usps.com

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 (Domestic Mail Only; No Insurance Coverage Provided)

7013 2250 0002 4428 2842
 7013 2250 0002 4428 2842



50306

MORTGAGE RESOLUTION

Before the City of Columbia, Missouri

In the Matter of:)
 600 Mary Street)
 Columbia, Missouri)
)

Proposed Findings of Fact, Conclusion of Law and Final Order

Pursuant to Ordinance 6-72, Subsection 107.6, this matter came before Director of Community Development on June 17, 2016 at 9:00 a.m. for a hearing on:

- Whether the property located at 600 Mary Street, Columbia, Missouri (the Property), should be found to be a nuisance and a detriment to the health, safety or welfare of the residents of the city; and
- Whether, on behalf of the City, I should, therefore, order the building to be repaired, reconditioned, remodeled, totally or partially vacated, demolished or placed in a sanitary condition, as provided in Ordinance 6-72, Subsection 107.7.

The hearing was held at City Hall, 701 E. Broadway, Columbia, Missouri in the Community Development Department, Fifth Floor, Conference Room 5D.

At the hearing, the City was represented by City Prosecutor John K. McManus. Testimony was provided at the hearing by City of Columbia Senior Code Enforcement Specialist Bruce Martin and Building and Site

Development Manager Shane Creech , P.E., both of whom work for the Department of Community Development. For the reasons stated below, I am ordering the building on the Property demolished and all debris removed in order to assure the Property is returned to a sanitary condition, as well as imposing other conditions described below.

Findings of Fact

1. I find that the evidence supporting the following findings of fact is both competent and substantial.

2. A certified copy of the ordinances cited below has been accepted into evidence as Exhibit A.

A. The Property

3. The Property has the following legal description:

Lot Nine (9) in E.C. Clinkscales Second (2nd) Addition to the City of Columbia, Boone County, Missouri, is shown by the plat thereof recorded in Plat Book 2, Page 40, Records of Boone County, Missouri.

See Exhibit B, which is a Missouri General Warrant Deed. See also Exhibit C, which is a copy of a title search.

4. The Property contains a single building, a four room house and also has a privacy fence in the back yard. The rooms enumerated are a kitchen, living room, bedroom, and an unspecified room. There is one

bathroom. The house is built on-grade with no crawlspace or basement. There is no garage or driveway for vehicle parking.

5. A title search conducted on or around March 1, 2016, showed the title to be owned by Paul F. Bruinsma and that Wells Fargo Bank, N.A. has a lien on the property. See Exhibit C. Mr. Martin and Mr. Creech testified that they are not aware of any other person who has an interest in the property.

6. Mr. Bruinsma took title on the Property pursuant to a general warranty deed on September 24, 2004. See Exhibit B.

7. The county assessor's office has Mr. Bruinsma's current address as P. O. Box 37, Wayne City, Illinois 62895-6289. Mr. Martin testified that he made efforts to find other addresses for Mr. Bruinsma but did not find any other address. See Exhibit D, which is a printout of records from the Assessor's Office.

8. A search of the City's utility records shows that the Property has not had water or electric service since October 2010. See Exhibit E, which is a printout of City utility records.

9. The City inspected the Property on February 25, 2016, pursuant to a warrant issued by the City of Columbia Municipal Court. The City inspector, Mr. Bruce Martin testified that no one was on the Property when

he arrived to conduct that inspection and no one came onto the property during the inspection other than Mr. Martin and another inspector.

10. Mr. Martin also testified that there were no signs of recent activity inside the house.

11. Based on the foregoing, I find that the house is unoccupied.

B. February 25, 2016 Inspection of the Property

12. Mr. Martin conducted a curbside inspection of the Property on February 8, 2016, and identified several violations of the City's Property Maintenance Code¹.

13. Because of those violations, and information suggesting that Mr. Bruinsma had abandoned the property, on February 23, 2016, the City Prosecutor sought and obtained a warrant for the inspection of the Property, including the interior of the house.

14. On February 25, 2016, Mr. Martin, City Building Inspector Daryl Brown, Code Enforcement Specialist Ken Reeves and Mr. Creech entered the property, including the house, pursuant to the warrant, taking 47 photos documenting the condition of the property. See Exhibit F. The photos are number # 4063 through # 4114.

¹ Ordinance 6-71 incorporates by reference the 2012 Edition of the International Property Maintenance Code (the Property Maintenance Code), published by the International Code Council, Inc., including all appendices, except as amended by Ordinance 6-72. Collectively, these two sections, and the material incorporated by reference are referred in this decision as the Property Maintenance Code or the Code.

15. Mr. Martin identified the following conditions:
- a. The structure has not been maintained in a clean condition by having trash type articles lying on the ground around the premises. See Photos # 4063, # 4064, # 4108 & # 4109.
 - b. The privacy fence has boards which are missing or coming detached. See Photo # 4109.
 - c. Portions of the front door exterior trim, porch post, header, south window frame areas and the fascia lack necessary protective treatment such as paint. See Photos # 4063, # 4104, # 4105 & # 4107.
 - d. Areas of the roof show signs of deterioration and some shingles are not sealing properly. Also, gutters are not being maintained to allow proper drainage. See Photos # 4101, # 4102, # 4103 & # 4106.
 - e. The window located on the north side of the structure has a broken pane of glass. See Photos # 4068 & # 4114.
 - f. The southwest room displays a window that is unsecure. See Photos # 4095 & # 4096.
 - g. The windows located on the south side of the structure have broken glass. See Photo # 4104.

- h. The interior rooms have debris such as building materials and trash on the floor. See Photos # 4064, #4069, # 4073, # 4074, # 4075, # 4084, # 4089 & # 4095.
- i. The northwest front room has wall surface and ceiling surface damage. See Photos # 4064, # 4065, # 4066, # 4071 & # 4072.
- j. The kitchen ceiling surface area has been removed and is missing. See Photo # 4074.
- k. The kitchen wall displays wall surface damage. See Photo # 4075.
- l. The bathroom walls, wall under the sink and ceiling appear to have mold. See Photos # 4078, # 4079, # 4080, # 4081 & # 4083.
- m. The south wall in the rear room has wall surface damage. See Photo # 4084.
- n. The southeast room ceiling has considerable damage. See Photo # 4085.
- o. The southeast interior wall appears to have mold. See Photo # 4088.
- p. The southeast room walls have surface damage. See Photos # 4089 & # 4090.

- q. The southwest room has areas of peeling wall paint. See Photos # 4093 & # 4094.
- r. The southwest room has missing wall surface. See Photos # 4096 & # 4097.
- s. There are areas in the structure which have floors that are deteriorated and rotted or soft which creates unsafe walking conditions. See Photos # 4070, # 4086 & # 4087.
- t. The bathroom sink has a drain pipe that has been disconnected. See Photo # 4079.
- u. The water heater appears to not be in an operating condition. See Photo # 4092.
- v. The furnace appears to not be in an operative condition. See Photo # 4076.
- w. The furnace is located in the bathroom and would be pulling combustion air from that room. See Photo # 4076.
- x. The northwest front room has exposed electrical wiring that has been stripped from its original use. See Photos # 4072.
- y. The electrical outlet above the kitchen sink area is not secured and installed properly. See Photos # 4074.

- z. The bathroom vanity area has an electrical outlet that is not properly secured in the electrical box. See Photos # 4080.
- aa. The southeast room ceiling displays exposed electrical wiring. See Photo # 4085.
- bb. There is only one smoke alarm, which is located in the southwest room and is not in working condition. See Photo # 4097.

16. I find that Mr. Martin's testimony regarding conditions at the property is credible and supported by the photos and that these conditions exist at the Property.

C. March 1, 2016 Notice of Violation

17. On March 1, 2016, the City issued a notice of violation (NOV) for the Property. See Exhibit G.

18. The Contents of the NOV included:
- a. Both the address and a portion of the legal description of the property sufficient for identification;
 - b. A description of each alleged violation of the Property Maintenance Code, including a factual description and references to photos;

- c. The specific ways in which the Property created a nuisance under the Property Maintenance Code;
- d. A statement that the Property was vacated on October 7, 2010.
- e. A statement that the Property was to be repaired, reconditioned, remodeled, demolished, placed in a sanitary condition, at the owner's discretion;
- f. A statement that work must commence by March 31, 2016.
- g. A statement that if compliance was through demolition, all demolition must be completed by April 15, 2016.
- h. A statement that if one of the other methods of compliance was chosen, compliance must be achieved by August 28, 2016.

19. I find that the descriptions in the NOV of the conditions at the Property accurately reflect the actual conditions at the Property, as found above.

20. The City served the NOV by certified mail, return receipt requested to Mr. Bruinsma at the address on file with the county assessor and to Wells Fargo Bank N.A. See Exhibits H and I, which are copy of envelope and certified mail receipt to Paul F Bruinsma and Wells Fargo Bank N.A. A copy of the NOV was hand delivered to the City's own legal department.

21. Service on Mr. Bruinsma was returned by the Post Office with the notation that the delivery was unclaimed and that the post office was unable to forward. See Exhibit J, which is a copy of returned envelope to Mr. Bruinsma with Post Office Note.

22. Wells Fargo Bank N.A. received the NOV. See Exhibit K. In response to the NOV, Wells Fargo Bank N.A copied the city on a letter addressed to Mr. Bruinsma.

23. On March 13, 2016, the City served the NOV by publication in the Columbia Daily Tribune. See Exhibit L. The published service contained all the information described in Paragraph 18, above, except that it did not quote as much of the language on the Property Maintenance Code.

24. The Columbia Daily Tribune is a newspaper of general circulation in the City:

25. No one commenced work on the Property by March 31, 2016. No work has been done on the Property as of the date of the hearing.

D. May 19, 2016 Notice of Hearing

26. On May 19, 2016, the City issued a notice of hearing (the Notice) regarding the property. See Exhibit M. The Notice contained the following information:

- a. The address and legal description of the property;
- b. The time, date and place of the hearing, which correctly listed Friday, June 17, 2016 at 9:00 a.m. at City Hall, 701 E. Broadway, Columbia, Missouri in the Community Development Department, Fifth Floor, Conference Room 5D;
- c. That the hearing would be presided by Timothy Teddy, Director of Community Development for the City of Columbia, Missouri;
- d. That the notice was being given pursuant to Article VII, Ordinance 6-72, Subsection 107.5 of the Columbia, Missouri Code of Ordinances.

27. The City sent a copy of the Notice by certified mail to Mr. Bruinsma at P.O. Box 37, Wayne City, Illinois 62895-6289. See Exhibit N, which is a copy of envelope and certified mail receipt to Paul F Bruinsma

28. The return receipt shows Mr. Bruinsma claimed the Notice on June 4, 2016. See Exhibit O.

29. Despite receiving the notice of hearing, Mr. Bruinsma has not contacted the City regarding this Property.

30. The City sent a copy of the Notice by certified to Wells Fargo Bank N.A. at P.O. Box 10335, Des Moines, Iowa 50306. See Exhibit P. which is a copy of envelope and certified mail receipt to Wells Fargo Bank N.A.

31. Wells Fargo Bank N.A. has been in contact with the City regarding the Property, see Exhibit Q, but has not made any attempt to directly fix the conditions at the Property or suggested any interest in doing so itself.

32. In addition, a copy of the Notice was hand delivered to the City's own legal department. The City published the Notice in the Columbia Daily Tribune on May 22, 2016 and included the same information as in the notice as mailed to Mr. Bruinsma and Wells Fargo Bank N.A. See Exhibit R.

E. Additional testimony of Bruce Martin

33. In addition to the facts mentioned above, Mr. Martin testified to his own background. Mr. Martin has been employed as a senior code enforcement specialist employed by the City of Columbia, since July 5, 1983 and has been assigned to the Community Development-Office of Neighborhood Services since May 29, 2007.

F. Testimony of Shane Creech, P.E.

35. Shane Creech graduated from University of Missouri – Columbia in 1999 with a Bachelor of Science Degree in civil and environmental engineering and is a registered professional engineer with Missouri and Kansas. See Exhibit S, which is a copy of Mr. Creech's resume.

36. Mr. Creech has also had additional training applicable to the evaluation of construction and maintenance of buildings, particularly housing.

37. Mr. Creech is currently Building and Site Development Manager for the City of Columbia, Department of Community Development.

38. In that position Mr. Creech supervises 18 employees, including inspectors and other engineers, who are responsible for the review and inspection of privately funded public infrastructure and publicly and privately funded structures and compliance with codes published by the International Code Council and adopted by the City.

39. Since graduating in 1999, Mr. Creech has held a variety of positions that have given him an extensive background in construction and maintenance requirements needed to assure that buildings, particularly housing, are safe and habitable.

40. Based on his education, training and experience, Mr. Creech qualifies as an expert in housing maintenance, including the impact of housing maintenance on the life, health, safety and welfare of housing occupants and the public.

41. As mentioned above, Mr. Creech participated in the inspection of the Property on February 25, 2016, so he is personally familiar with the conditions at the Property.

42. Mr. Creech also reviewed and approved the NOV before it was issued.

43. At hearing, Mr. Creech provided the following opinions as to the condition of the property:

- a. The house is a danger to the life, health, safety and welfare of the occupants or residents of the city.²

² This is part of the standard established by Ordinance 6-72, Subsection 107.1(8). The standard also requires that violations of the City Building Code or other ordinances also exist. As indicated in my Conclusions of Law, below, these findings establish that violations of the Property Maintenance Code, which is incorporated by reference into ordinance 6-71, exist as a matter of law.

- b. The house, if occupied, would constitute a hazard to the safety, health, or welfare of the occupants because it lacks maintenance, is in disrepair, is unsanitary, is vermin infested or rodent infested, lacks sanitary facilities or equipment and otherwise fails to comply with minimum provisions of the Code.
- c. The house has unsafe equipment including heating equipment, electrical wiring, and other equipment on the premises or within the house that are in disrepair or on conditions that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

44. In support of his opinion, Mr. Creech cited his own observation made during the inspection, the facts as outlined in the NOV, which are consistent with his own observations, and the conditions evident in the photos.

45. Mr. Creech concluded that the conditions in the building would be a danger to any occupant due to the lack of sanitation, the large amounts of debris, the structural condition of the porch, and the lack of a working smoke detector, among other things.

46. Mr. Creech concluded that the conditions in the building are a danger to other residents because an abandoned building is often subject to break-ins, vandalism and arson. Mr. Creech noted that any fire creates a danger to other residents, and that this house is less than ten feet from another home, so any fire at the house risks spreading to the adjacent home. Mr. Creech also stated that the house may also be an attractive nuisance to minors or others who may be injured as a result of the conditions on the property. Specifically, The property has hazards, such as flammable material and poisonous material

47. I find Mr. Creech's opinions credible and find as a matter of fact that the conditions and risks exist as he represented them.

Conclusions of Law

48. As indicated at hearing, all exhibits presented at hearing have been admitted and are a part of the record of this case. These include City Exhibits A through S.

49. Pursuant to Ordinance 6-72, Subsection 107.7, findings in this case must be based on competent and substantial evidence. I conclude that this standard has been met based on the evidence cited above for all facts found in this matter.

A. The City has met the procedural obligations necessary for the issuance of a notice of violation.

50. Ordinance 6-72, Subsections 107.2 through 107.6 lay out the procedural requirements that the City must satisfy in order to hold this hearing. As an initial matter, the City must issue a notice of violation that contains all the information required by Subsection 107.2(a) and is served in accordance with the requirements of Subsection 107.2(b).

51. Ordinance 6-72, Subsection 107.2(a) has five requirements regarding the content of for a notice of violation, each of which has been met by the information described in Paragraph 18, above.

52. Ordinance 6-72, Subsection 107.2(b) requires service by certified mail if possible, and if not, then service must be made by publication in a newspaper of general circulation. These requirements were met by the efforts made by the City, which included the certified mailing of NOV to known interested parties and the publication of the NOV in the Columbia Daily Tribune.

B. The City has met the procedural obligations necessary for the issuance of a notice of hearing.

53. Ordinance 6-72, Subsections 107.4 states that upon a failure of the parties to timely commence or complete work as described in the notice of violation, the director may hold a hearing on the matter.

54. Ordinance 6-72, Subsection 107.5(a) requires at least 10 days written notice between the issuance of notice of hearing and the hearing itself. Here, the notice was issued by certified mail on May 19, 2016, and by publication on May 22, 2016, and both dates are more than ten days in advance of the hearing on held June 17, 2016.

55. Ordinance 6-72, Subsection 107.5(a) has four requirements regarding the content of for the Notice of Hearing, each of which has been met by the information described in Paragraph 26 above.

56. Ordinance 6-72, Subsection 107.5(b) requires service by certified mail if possible, and if not, then service must be made by publication in a newspaper of general circulation. These requirements were met by the efforts made by the City, which included the certified mailing of NOV to known interested parties and the publication of the NOV in the Columbia Daily Tribune.

57. I, therefore conclude that the City has met all the procedural requirements for holding a hearing.

C. The Property is in violation of multiple sections of the City's Property Maintenance Code.

58. Having found that the conditions described in the NOV do in fact exist, as evidenced by Mr. Martin's testimony and the photos, I conclude that these conditions constitute violations of Ordinances 6-71 and 6-72.

Specifically, the conditions constitute violations of the Code as described in the NOV. The following Subsections of the Code or the amendments have been violated: Subsections 302.1, 302.7, 304.2, 304.7, 304.13, 305.1, 305.3, 305.4, 504.1, 505.4, 603.1, 603.5, 605.1, and 704.2.

D. The Property constitutes a Nuisance under Ordinance 6-72, Subsection 107.1 and a Detriment to the Residents of the City.

59. Ordinance 6-72, Subsection 107.1 reads in part as follows:

Structures Constituting a Public Nuisance: All structures which have any of the following defects are public nuisances: ...

(8) Those structures which exist in violation of any provision of the Building Code of Columbia, Missouri or other ordinances of this city and which are a danger to the life, safety, health or welfare of the occupants or residents of the city.

(9) Those structures which, if occupied, would constitute a hazard to the safety, health, or welfare of the occupants because they lack maintenance, are in disrepair, are unsanitary, vermin infested or rodent infested, lack sanitary facilities or equipment or otherwise fail to comply with minimum provisions of this code.

(10) Those structures which have unsafe equipment including 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 disrepair or conditions that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

60. As to Ordinance 6-72, Subsection 107.1(8), I have already concluded that ordinances of this City have been violated and found as a fact that the house is a danger to the life, health, safety and welfare of the occupants or residents of the city. As a consequence, the Property fits the description in Ordinance 6-72, Subsection 107.1(8) and is, therefore, a nuisance under Ordinance 6-72, Subsection 107.1.

61. As to Ordinance 6-72, Subsection 107.1(9), I have already found that the house, if occupied, would constitute a hazard to the safety, health, or welfare of the occupants because it lacks maintenance, is in disrepair, is unsanitary, is vermin infested or rodent infested, lacks sanitary facilities or equipment and otherwise fails to comply with minimum provisions of the Code. As a consequence, the Property fits the description in Ordinance 6-72, Subsection 107.1(9) and is, therefore, a nuisance under Ordinance 6-72, Subsection 107.1.

62. As to Ordinance 6-72, Subsection 107.1(9), I have already concluded that the house has unsafe equipment including heating equipment, electrical wiring, and other equipment on the premises or within the house that are in disrepair or on conditions that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure. As a consequence, the Property fits the description in Ordinance 6-72, Subsection 107.1(10) and is, therefore, a nuisance under Ordinance 6-72, Subsection 107.1.

63. I have also found that the house is an attractive nuisance and presents a risk of break-in and arson, and as such, is a threat to at least one neighboring home. I therefore conclude that the Property is detrimental to the health, safety or welfare of the residents of the city.

E. Demolition is an appropriate remedy under the facts of this case

64. Ordinance 6-72, Subsection 107.7 states that “if the evidence supports a finding that the structure is a nuisance and detrimental to the health, safety or welfare of the residents of the city, the director ... shall order the structure to be repaired, reconditioned, remodeled, totally or partially vacated, demolished or placed in a sanitary condition.”

65. The standards for selecting the remedy are contained in Ordinance 6.72, Subsection 107.3.

66. I conclude that the following two standards apply under the facts presented here:

(2) If the structure is in such a condition as to make it dangerous to the health, safety or general welfare of its occupants or any other person, it shall be ordered repaired; reconditioned, remodeled or demolished.

(4) If the structure is a hazard to the safety, health or welfare of its occupants or of any person because it lacks sanitary facilities and equipment or is otherwise unsanitary because of an accumulation of garbage or trash or because of infestation, it shall either be placed in a clean and sanitary condition or demolished.

67. Based on these two standards, I have the authority to order demolition of the structures on the Property.

68. Demolition is appropriate here for the following reasons:

- a. The property is vacant and has been for over five years.

- b. The house is not in a condition to be occupied.
- c. As long as the house is unoccupied and in its present condition, it will remain a nuisance and detrimental to the residents of the City.
- d. Despite notice, the parties with an interest in the Property have failed to take any action to remedy the conditions at the Property and have not expressed any interest in doing so.

69. I am, therefore, satisfied that all procedural obligations have been met by the City and that demolition is the appropriate remedy under the applicable standards.

70. In addition, Ordinance 6-72, Section 107 provides additional remedies, including authority for the City to conduct the demolition if the work required by this order is not completed and to impose a special tax bill if those costs are not paid. See Ordinance 6-72, Subsection 107.9.

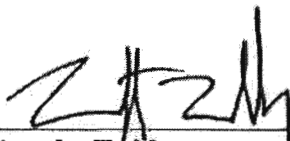
Order

Pursuant to Ordinance 6-72, Subsection 107.7 and 107.3, I order the building on the Property demolished and all debris removed in order to assure the Property is returned to a sanitary condition. Grading and filling shall be conducted to the extent needed to assure that the property has no

hazards. The work shall commence by July 26, 2016. All demolition and removal shall be completed by July 31, 2016.

I order the of the Department of Community Development staff to mail a copy of this decision to Mr. Bruinsma and Wells Fargo Bank N .A, and to post a copy of this order upon the Property.

Pursuant to Ordinance 6-72, Subsection 107.9, if the demolition and removal are not done within the time stated above, and if no appeals of the order are pending, I will certify those facts to the City Council for the purpose of seeking authority for the City to conduct the demolition and other work required by this order and to seek reimbursement or a special tax bill as provided in that section. If so authorized by City Counsel, the City may take the actions described in Ordinance 6-72, Subsection 107.9. This is not a waiver of other rights of the City, including rights granted by Ordinance 6-72, Subsections 107.10 and 11.



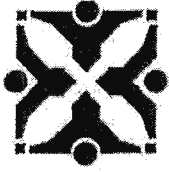
Timothy Teddy,
Director of Community Development
City of Columbia, Missouri

Notice of Appeal Rights

An aggrieved party may appeal to the circuit court pursuant to the procedure established in Chapter 536, Revised Statutes of Missouri.

ORDER
OF
POSTING

Posted in Yard July 7, 2016



City of Columbia

Community Development Department

701 EAST BROADWAY • PO BOX 6015 • COLUMBIA, MO 65205-6015

600 Mary St.

Order

Pursuant to Ordinance 6-72, Subsection 107.7 and 107.3, I order the building on the Property demolished and all debris removed in order to assure the Property is returned to a sanitary condition. Grading and filling shall be conducted to the extent needed to assure that the property has no hazards. The work shall commence by July 26, 2016. All demolition and removal shall be completed by July 31, 2016.

I order the of the Department of Community Development staff to mail a copy of this decision to Mr. Bruinsma and Wells Fargo Bank N .A, and to post a copy of this order upon the Property.

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Timothy Teddy,
Director of Community Development
City of Columbia, Missouri

Notice of Appeal Rights

An aggrieved party may appeal to the circuit court pursuant to the procedure established in Chapter 536, Revised Statutes of Missouri.

Building & Site Development
(573) 874-7474
Fax (573) 874-7283

Neighborhood Services
(573) 817-5050
Fax (573) 874-7546

Planning & Zoning
(573) 874-7239
Fax (573) 874-7546

COMMUNICATIONS

**Copies of 2 letters to owner from Wells Fargo Home Mortgage
with**

Notice of Violation

Dates: March 18, 2016

&

July 26, 2016

Requesting Notice of Violation to be resolved



Wells Fargo Home Mortgage

One Home Campus
MAC: X2303-048
Des Moines, IA 50328
Fax: 866-512-0757

March 18, 2016

**Paul F Bruinsma
PO Box 37
Wayne City, IL 62895**

Reference:

Violations present at property: 600 Mary, Columbia, MO 65203

Dear Mortgagor (s):

Wells Fargo Home Mortgage, A Division of Wells Fargo Bank, N.A. is in receipt of the attached violation notice from the city/county for the above referenced property.

Your failure to correct the violation represents a break of your Note and Mortgage obligation with Wells Fargo Home Mortgage, whereby you agreed to maintain the real property free and clear of all violations.

When this violation has been satisfied, please send Wells Fargo Home Mortgage proof of this from the city/county. Your compliance is expected within the next 30 days.

Sincerely,

Patty Harris
Building Code and Compliance
Wells Fargo Home Mortgage
codeviolations@wellsfargo.com

**CC: City of Columbia
Community Development Department
701 East Broadway
PO Box 6015
Columbia, MO 65205-6015**



City of Columbia

Community Development Department

701 EAST BROADWAY • PO Box 6015 • COLUMBIA, MO 65205-6015

Date: March 1, 2016

Paul F. Bruinsma
P. O. Box 37
Wayne City, Illinois 62895-6289

RE: Inspection performed: February 25, 2016

Dear Paul F. Bruinsma:

This letter is to inform you of a code violation(s) at the property location of:

600 Mary St, Boone County, Columbia, Mo. 65203

Parcel # 16-315-00-14-025.00 01

Lot # 9, E C Clinkscales 2ND ADD.

Structure Status: Vacant – Not Habitable

Date of Vacancy – October 7, 2010

On February 25, 2016, City Inspector(s) visited your property to investigate violation(s) of the City of Columbia Code of Ordinances. As a result of this inspection, it has been determined that the property constitutes a public nuisance and is in violation of City of Columbia Code of Ordinances, Chapter 6-71 & 6-72, paragraph 107.1 which states **Structures Constituting a Public Nuisance: All structures which have any of the following defects are public nuisance:**

107.1 Structures Constituting a Public Nuisance: * All structures which have any of the following defects are a public nuisance:

- (2) Those structures which, exclusive of the foundation, show thirty-three percent (33%) or more of damage or deterioration of the supporting member or members, or fifty percent (50%) of damage or deterioration of the non-supporting enclosing or outside walls or covering.
- (4) Those structures which have been damaged by fire, wind or other causes so as to be dangerous to life, safety, health or welfare of the occupants or the residents of the city.
- (5) Those structures which are so dilapidated or decayed that they are a danger to the life, safety, health or welfare of the occupants or the residents of the city.
- (6) Those structures having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other means of communication.

(1)

Building & Site Development
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Fax (573) 874-7283

Neighborhood Services
(573) 817-5050
Fax (573) 874-7546

Planning & Zoning
(573) 874-7239
Fax (573) 874-7546

16-31388 600 Mary St.

(8) Those structures which exist in violation of any provision of the Building Code of Columbia, Missouri or other ordinances of this city and which are a danger to the life, safety, health or welfare of the occupants or residents of the city.

(9) Those structures which, if occupied, would constitute a hazard to the safety, health, or welfare of the occupants because they lack maintenance, are in disrepair, are unsanitary, vermin infested or rodent infested, lack sanitary facilities or equipment or otherwise fail to comply with minimum provisions of this code.

(10) Those structures which have unsafe equipment including 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 disrepair or conditions that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure .

This property has violation(s) of property maintenance violations needing corrections that shall be repaired, reconditioned, remodeled or demolished at the owner's discretion. This property was vacated on **October 7, 2010**. If the property is to be repaired, reconditioned, remodeled or demolished, a permit shall be required which can be obtained at City Hall, Building & Site Development.

2012 International Property Maintenance Code Violations

302.1 Sanitation

All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

- **1. The structure has not been maintained in a clean condition by having trash type articles lying on the ground around the premises. This is identified in Photo's # 4063, # 4064, # 4108 & # 4109.**

302.7* Accessory structures

All accessory structures, including detached garages, fences, walls, and retaining walls shall be maintained structurally sound and in good repair.

- **1. The privacy fence has boards which are missing or coming detached. This is identified in Photo # 4109.**

304.2 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 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, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit such future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surface designed for stabilization by oxidation are exempt from this requirement.

- **1. There are violations of protective treatment to the front door exterior trim, porch post, header, south window frame areas and fascia. This is identified in Photo's # 4063, # 4104, # 4105 & # 4107.**

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 obstruction. Roof water shall not be discharged in a manner that creates a public nuisance.

- **1. There are areas which appear to show signs of deterioration of the roof and some shingles are not sealing properly. The gutters are not being maintained to allow proper drainage. This is identified in Photo's # 4101, # 4102, # 4103 & # 4106.**

304.13 Window, skylight and door frames.

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

- **1. The window located on the north side of the structure has a broken glass. This is identified in Photo's # 4068 & # 4114.**
- **2. The southwest room displays a window that is unsecure. This is identified in Photo's # 4095 & # 4096.**
- **3. The windows located on the south side of the structure have broken glass. This is identified in Photo # 4104.**

305.1 General. / Interior

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 in which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more non residential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

- **1. The interior rooms display debris such as building materials and trash on the floor. This is identified in Photo's # 4064, #4069, # 4073, # 4074, # 4075, # 4084, # 4089 & # 4095.**

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.

- **1. The northwest front room has wall surface & ceiling surface damage. This is identified in Photo's # 4064, # 4065, # 4066, # 4071 & # 4072.**
- **2. The kitchen ceiling surface area has been damaged and missing. This is identified in Photo # 4074.**
- **3. The kitchen wall displays wall surface damage. This is identified in Photo # 4075.**
- **4. The bathroom walls, wall under the sink and ceiling displays areas that appear to be mold. This is identified in Photo's # 4078, # 4079, # 4080, # 4081 & # 4083.**
- **5. The south wall in the rear room displays wall surface damage. This is identified in Photo # 4084.**
- **6. The southeast room ceiling displays considerable damage. This is identified in Photo # 4085.**
- **7. The southeast interior wall displays areas that appear to be mold. This is identified in Photo # 4088.**
- **8. The southeast room wall area displays wall surface damage. This is identified in Photo's # 4089 & # 4090.**
- **9. The southwest room displays areas of peeling wall paint. This is identified in Photo's # 4093 & # 4094.**
- **10. The southwest room displays missing wall surface. This is identified in Photo's # 4096 & # 4097.**

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.

- **1. There are areas in the structure which have floors that are deteriorated and rotted or soft which creates unsafe walking conditions. This is identified in Photo's # 4070, # 4086 & # 4087.**

[P]504.1 General. / Plumbing

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.

- **1. The bathroom sink has a drain pipe that has been disconnected. This is identified in Photo # 4079.**

505.4 Water heating facilities

Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110 degree F (43 degree C). A gas burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure relief valve discharge pipe shall be properly installed and maintained on water heaters.

- 1. The water heater appears to not be in an operating condition. This is identified in Photo # 4092.

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.

- 1. The furnace appears to not be in an operative condition. This is identified in Photo # 4076.

603.5 Combustion air.

A supply of air for complete combustion of the fuel and for *ventilation* of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.
2012 International Mechanical Code

Chapter 3

Section 303 Equipment and Appliance Location

303.3 Prohibited Locations

Fuel-fired appliances shall not be located in, or obtain *combustion* air from, any of the following rooms or spaces:

1. Sleeping rooms.
2. Bathrooms.
3. Toilet rooms.
4. Storage closets.
5. Surgical rooms.

Exception: This section shall not apply to the following appliances:

1. *Direct-vent appliances* that obtain all *combustion air* directly from the outdoors.
 2. Solid fuel-fired appliances, provided that the room is not a confined space and the building is not of unusually tight construction.
 3. Appliances installed in a dedicated enclosure in which all *combustion air* is taken directly from the outdoors, in accordance with Chapter 7. Access to such enclosure shall be through a solid door, weather-stripped in accordance with the exterior door air leakage requirements of the *International Energy Conservation Code* and equipped with an *approved* self-closing device.
- 1. The furnace appears to be located in a bathroom where it would be pulling combustion air from a prohibited area. This is identified in Photo # 4076.

605.1 Installation. / Electrical.

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

- **1. The northwest front room has exposed electrical wiring that has been stripped from its original use. This is identified in Photo's # 4072**
- **2. The electrical outlet above the kitchen sink area is not secured and installed properly. This is identified in Photo's # 4074**
- **3. The bathroom vanity area has an electrical outlet that is not properly secured in the electrical box. This is identified in Photo's # 4080,**
- **4. The southeast room ceiling displays exposed electrical wiring. This is identified in Photo # 4085.**

704.2 Smoke alarms.

Single or multiple-station smoke alarms shall be installed and maintained in Group R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations.

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between adjacent levels, a smoke alarm installed in the upper level shall suffice for the adjacent lower level is less than one full story below the upper level.

Single or multiple-station smoke alarms shall be installed in other groups in accordance with the International Fire Code.

- **1. There appeared to be one smoke alarm located in the southwest room of the structure which was not in a working condition. This is identified in Photo # 4097.**

The work shall commence by March 31, 2016 which is within (30) days from the date of this letter. If repair, reconditioning or remodeling is chosen, all work shall be completed by August 28, 2016 which is within (180) days from the date of this letter. If demolition is chosen, all demolition shall be complete by April 15, 2016 which is within (45) days from the date of this letter. A permit shall be required from Building Site & Development which can be obtained at the 3rd floor service counter in City Hall. All parties of interest to this property will be notified of this violation letter.

107.4 Failure to Comply With This Notice of Violation: Upon failure of the parties to the action to commence the work specified within the time specified by the notice of violation issued by the building regulation supervisor under 107.2 or upon failure to proceed continuously with the work without unnecessary delay in order to complete the work within the specified period of time, the director may call and have a full adequate hearing upon the matter.

107.8* Appeals: An aggrieved party may appeal to the circuit court pursuant to the procedure established in Chapter 536, Revised Statutes of Missouri.

Please contact me at 573-000-0000 if you have any concerns or questions. You may seek a variance from the Building Construction Codes Commission as stated in section 6-17, paragraph 113.2.

Sincerely

Office of Neighborhood Services (573-817-5050)

Bruce E. Martin

Name of Inspector, CBI
Senior Code Enforcement Officer

JS 3/1/16
Initials & Date

John Simon, Building Regulation Supervisor

SSC 3/1/16
Initials & Date

Shane Creech, Engineering Manager

Wells Fargo Home Mortgage

One Home Campus
MAC: N0012-01G
Des Moines, IA 50328
Phone: 1-877-617-5274
Fax: 1-866-512-0757



07/26/2016

Paul F Bruinsma
PO Box 37
Wayne City, IL 62895

Subject: Violations regarding property located at 600 Mary
Columbia, MO 65203

Reference: 16-31388 600 Mary St.

Dear customer:

Wells Fargo Home Mortgage received the enclosed violation notice from the city/county/HOA for the above referenced property.

According to your mortgage document you are required to keep the property in good standing. Please provide us with proof that this situation has been resolved by the specified timeframes of the attached violation, or as outlined by the issuing entity. You can provide proof by mail or fax to the address and fax number located at the top of this letter.

If you have any questions or need further assistance on preservation and maintenance of your property serviced by Wells Fargo Home Mortgage, please contact us by:

Email: codeviolations@wellsfargo.com
Phone: 1-877-617-5274
Fax: 1-866-512-0757

Sincerely,

Alex Pencil
Building Code and Compliance
Wells Fargo Home Mortgage

Enclosure

CC: City of Columbia
Attention: Community Development Department
701 E Broadway, PO Box 6015
Columbia, MO 65205

Wells Fargo Home Mortgage is a division of Wells Fargo Bank, N.A. ©2016 Wells Fargo Bank, N. A. All rights reserved.
NMLSR ID 399801



City of Columbia

Community Development Department

701 EAST BROADWAY • PO BOX 6015 • COLUMBIA, MO 65205-6015

Date: March 1, 2016

Paul F. Bruinsma
P. O. Box 37
Wayne City, Illinois 62895-6289

RE: Inspection performed: February 25, 2016

Dear Paul F. Bruinsma:

This letter is to inform you of a code violation(s) at the property location of:

600 Mary St, Boone County, Columbia, Mo. 65203

Parcel # 16-315-00-14-025.00 01

Lot # 9, E C Clinkscales 2ND ADD.

Structure Status: Vacant – Not Habitable

Date of Vacancy – October 7, 2010

On February 25, 2016, City Inspector(s) visited your property to investigate violation(s) of the City of Columbia Code of Ordinances. As a result of this inspection, it has been determined that the property constitutes a public nuisance and is in violation of City of Columbia Code of Ordinances, Chapter 6-71 & 6-72, paragraph 107.1 which states **Structures Constituting a Public Nuisance: All structures which have any of the following defects are public nuisance:**

107.1 Structures Constituting a Public Nuisance:* All structures which have any of the following defects are a public nuisance:

(2) Those structures which, exclusive of the foundation, show thirty-three percent (33%) or more of damage or deterioration of the supporting member or members, or fifty percent (50%) of damage or deterioration of the non-supporting enclosing or outside walls or covering.

(4) Those structures which have been damaged by fire, wind or other causes so as to be dangerous to life, safety, health or welfare of the occupants or the residents of the city.

(5) Those structures which are so dilapidated or decayed that they are a danger to the life, safety, health or welfare of the occupants or the residents of the city.

(6) Those structures having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other means of communication.

(1)

Building & Site Development
(573) 874-7474
Fax (573) 874-7283

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(573) 817-5050
Fax (573) 874-7546

Planning & Zoning
(573) 874-7239
Fax (573) 874-7546

16-31388 600 Mary St.

(8) Those structures which exist in violation of any provision of the Building Code of Columbia, Missouri or other ordinances of this city and which are a danger to the life, safety, health or welfare of the occupants or residents of the city.

(9) Those structures which, if occupied, would constitute a hazard to the safety, health, or welfare of the occupants because they lack maintenance, are in disrepair, are unsanitary, vermin infested or rodent infested, lack sanitary facilities or equipment or otherwise fail to comply with minimum provisions of this code.

(10) Those structures which have unsafe equipment including 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 disrepair or conditions that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure .

This property has violation(s) of property maintenance violations needing corrections that shall be repaired, reconditioned, remodeled or demolished at the owner's discretion. This property was vacated on **October 7, 2010**. If the property is to be repaired, reconditioned, remodeled or demolished, a permit shall be required which can be obtained at City Hall, Building & Site Development.

2012 International Property Maintenance Code Violations

302.1 Sanitation

All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

- **1. The structure has not been maintained in a clean condition by having trash type articles lying on the ground around the premises. This is identified in Photo's # 4063, # 4064, # 4108 & # 4109.**

302.7* Accessory structures

All accessory structures, including detached garages, fences, walls, and retaining walls shall be maintained structurally sound and in good repair.

- **1. The privacy fence has boards which are missing or coming detached. This is identified in Photo # 4109.**

304.2 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 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, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit such future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surface designed for stabilization by oxidation are exempt from this requirement.

- **1. There are violations of protective treatment to the front door exterior trim, porch post, header, south window frame areas and fascia. This is identified in Photo's # 4063, # 4104, # 4105 & # 4107.**

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 obstruction. Roof water shall not be discharged in a manner that creates a public nuisance.

- **1. There are areas which appear to show signs of deterioration of the roof and some shingles are not sealing properly. The gutters are not being maintained to allow proper drainage. This is identified in Photo's # 4101, # 4102, # 4103 & # 4106.**

304.13 Window, skylight and door frames.

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

- **1. The window located on the north side of the structure has a broken glass. This is identified in Photo's # 4068 & # 4114.**
- **2. The southwest room displays a window that is unsecure. This is identified in Photo's # 4095 & # 4096.**
- **3. The windows located on the south side of the structure have broken glass. This is identified in Photo # 4104.**

305.1 General. / Interior

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 in which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more non residential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

- **1. The interior rooms display debris such as building materials and trash on the floor. This is identified in Photo's # 4064, #4069, # 4073, # 4074, # 4075, # 4084, # 4089 & # 4095.**

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.

- **1. The northwest front room has wall surface & ceiling surface damage. This is identified in Photo's # 4064, # 4065, # 4066, # 4071 & # 4072.**
- **2. The kitchen ceiling surface area has been damaged and missing. This is identified in Photo # 4074.**
- **3. The kitchen wall displays wall surface damage. This is identified in Photo # 4075.**
- **4. The bathroom walls, wall under the sink and ceiling displays areas that appear to be mold. This is identified in Photo's # 4078, # 4079, # 4080, # 4081 & # 4083.**
- **5. The south wall in the rear room displays wall surface damage. This is identified in Photo # 4084.**
- **6. The southeast room ceiling displays considerable damage. This is identified in Photo # 4085.**
- **7. The southeast interior wall displays areas that appear to be mold. This is identified in Photo # 4088.**
- **8. The southeast room wall area displays wall surface damage. This is identified in Photo's # 4089 & # 4090.**
- **9. The southwest room displays areas of peeling wall paint. This is identified in Photo's # 4093 & # 4094.**
- **10. The southwest room displays missing wall surface. This is identified in Photo's # 4096 & # 4097.**

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.

- **1. There are areas in the structure which have floors that are deteriorated and rotted or soft which creates unsafe walking conditions. This is identified in Photo's # 4070, # 4086 & # 4087.**

[P]504.1 General. / Plumbing

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.

- **1. The bathroom sink has a drain pipe that has been disconnected. This is identified in Photo # 4079.**

505.4 Water heating facilities

Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110 degree F (43 degree C). A gas burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure relief valve discharge pipe shall be properly installed and maintained on water heaters.

- 1. The water heater appears to not be in an operating condition. This is identified in Photo # 4092.

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.

- 1. The furnace appears to not be in an operative condition. This is identified in Photo # 4076.

603.5 Combustion air.

A supply of air for complete combustion of the fuel and for *ventilation* of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

2012 International Mechanical Code

Chapter 3

Section 303 Equipment and Appliance Location

303.3 Prohibited Locations

Fuel-fired appliances shall not be located in, or obtain *combustion* air from, any of the following rooms or spaces:

1. Sleeping rooms.
2. Bathrooms.
3. Toilet rooms.
4. Storage closets.
5. Surgical rooms.

Exception: This section shall not apply to the following appliances:

1. *Direct-vent appliances* that obtain all *combustion air* directly from the outdoors.
 2. Solid fuel-fired appliances, provided that the room is not a confined space and the building is not of unusually tight construction.
 3. Appliances installed in a dedicated enclosure in which all *combustion air* is taken directly from the outdoors, in accordance with Chapter 7. Access to such enclosure shall be through a solid door, weather-stripped in accordance with the exterior door air leakage requirements of the *International Energy Conservation Code* and equipped with an *approved* self-closing device.
- 1. The furnace appears to be located in a bathroom where it would be pulling combustion air from a prohibited area. This is identified in Photo # 4076.

605.1 Installation. / Electrical.

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

- **1. The northwest front room has exposed electrical wiring that has been stripped from its original use. This is identified in Photo's # 4072**
- **2. The electrical outlet above the kitchen sink area is not secured and installed properly. This is identified in Photo's # 4074**
- **3. The bathroom vanity area has an electrical outlet that is not properly secured in the electrical box. This is identified in Photo's # 4080,**
- **4. The southeast room ceiling displays exposed electrical wiring. This is identified in Photo # 4085.**

704.2 Smoke alarms.

Single or multiple-station smoke alarms shall be installed and maintained in Group R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations.

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between adjacent levels, a smoke alarm installed in the upper level shall suffice for the adjacent lower level if less than one full story below the upper level.

Single or multiple-station smoke alarms shall be installed in other groups in accordance with the International Fire Code.

- **1. There appeared to be one smoke alarm located in the southwest room of the structure which was not in a working condition. This is identified in Photo # 4097.**

The work shall commence by March 31, 2016 which is within (30) days from the date of this letter. If repair, reconditioning or remodeling is chosen, all work shall be completed by August 28, 2016 which is within (180) days from the date of this letter. If demolition is chosen, all demolition shall be complete by April 15, 2016 which is within (45) days from the date of this letter. A permit shall be required from Building Site & Development which can be obtained at the 3rd floor service counter in City Hall. All parties of interest to this property will be notified of this violation letter.

107.4 Failure to Comply With This Notice of Violation: Upon failure of the parties to the action to commence the work specified within the time specified by the notice of violation issued by the building regulation supervisor under 107.2 or upon failure to proceed continuously with the work without unnecessary delay in order to complete the work within the specified period of time, the director may call and have a full adequate hearing upon the matter.

107.8* Appeals: An aggrieved party may appeal to the circuit court pursuant to the procedure established in Chapter 536, Revised Statutes of Missouri.

Please contact me at 573-000-0000 if you have any concerns or questions. You may seek a variance from the Building Construction Codes Commission as stated in section 6-17, paragraph 113.2.

Sincerely

Office of Neighborhood Services (573-817-5050)

Bruce E. Martin

Name of Inspector, CBI
Senior Code Enforcement Officer

JS 3/1/16
Initials & Date

John Simon, Building Regulation Supervisor

SSC 3/1/16
Initials & Date

Shane Creech, Engineering Manager

Missouri Courts

Case Net Review of 2 pages of cases

No appeal cases filed by the owner Paul F. Bruinsma as of
August 17, 2016 within the 30 day period required.



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Displaying 1 thru 8 of 11 records returned for parties with a name of BRUINSMA, PAUL F for All case types in ALL court locations.

1 2

Party Name	Case Number	Party Type	Style of Case	Case Type	Filing Date
Address on File		Circuit	County	Location	
BRUINSMA, PAUL F	<u>WD66890</u>	Appellant	STATE OF MO, RES V PAUL BRUINSMA, APEL	AP Criminal Appeal Circuit	04/14/2006
COLUMBIA, MO		Western District Ct of Appeal	Western District Ct of Appeals	Western Appellate	
BRUINSMA, PAUL F	<u>021614421</u>	Defendant	ST V PAUL F BRUINSMA	AC TR State Traffic Ticket	08/27/2004
COLUMBIA, MO		Circuit 15	Lafayette	Circuit Division	
BRUINSMA, PAUL F	<u>060448521</u>	Defendant	ST V PAUL F BRUINSMA	AC TR State Traffic Ticket	04/26/2007
TRENTON, MO		Circuit 3	Grundy	Associate Division	
BRUINSMA, PAUL F	<u>11AG-MC00043</u>	Respondent	DOR V PAUL F BRUINSMA	CC Cert of Lien-DOR Taxes	03/15/2011
TRENTON, MO		Circuit 3	Grundy	Circuit Division	
BRUINSMA, PAUL F	<u>11AG-MC00150</u>	Respondent	DOR V PAUL BRUINSMA	CC Cert of Lien-DOR Taxes	10/31/2011
TRENTON, MO		Circuit 3	Grundy	Circuit Division	
BRUINSMA, PAUL F	<u>091001731</u>	Defendant	ST V PAUL F BRUINSMA	AC TR State Traffic Ticket	09/03/2010
TRENTON, MO		Circuit 43	Livingston	Livingston Circuit Court	
BRUINSMA, PAUL F	<u>05BA-CR01445</u>	Defendant	ST V PAUL F BRUINSMA	Criminal/Infract.-see Charges	04/06/2005
COLUMBIA, MO		Circuit 13	Boone	Circuit Division	
BRUINSMA, PAUL F	<u>05BA-CR01445-01</u>	Defendant	ST V PAUL F BRUINSMA	Criminal/Infract.-see Charges	08/12/2005
COLUMBIA, MO		Circuit 13	Boone	Circuit Division	

Displaying 1 thru 8 of 11 records returned for parties with a name of BRUINSMA, PAUL F for All case types in ALL court locations.

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Name Search Results by Case All Participating Courts

Displaying 9 thru 11 of 11 records returned for parties with a name of BRUINSMA, PAUL F for All case types in ALL court locations.

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Party Name	Case Number	Party Type	Style of Case	Case Type	Filing Date
Address on File		Circuit	County	Location	
BRUINSMA, PAUL F	<u>07BA-CV03658</u>	Defendant	STATE OF MISSOURI V PAUL F BRUINSMA	AC Delinquent State Taxes	08/02/2007
COLUMBIA, MO		Circuit 13	Boone	Circuit Division	
BRUINSMA, PAUL F	<u>050636007</u>	Defendant	ST V BRUINSMA, PAUL	AC TR State Traffic Ticket	01/24/2006
		Fine Collection Center	Fine Collection Center	Fine Collection Center	
BRUINSMA, PAUL F	<u>700915978</u>	Defendant	ST V PAUL BRUINSMA	Infraction	07/15/2013
		Fine Collection Center	Fine Collection Center	Fine Collection Center	

Displaying 9 thru 11 of 11 records returned for parties with a name of BRUINSMA, PAUL F for All case types in ALL court locations.

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