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May 15, 2007

To the Honorable Common Council  
Of the City of Milwaukee  
Room 205 – City Hall

Re: Resolution relating to the Claim of Juan Rubio Aguilar  
C.I. File No. 06-L-1

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Juan Rubio Aguilar, 1514 West Scott Street, Milwaukee, WI 53204 alleges that his home was not made code compliant and lead free by a home repair contractor that was paid with Community Block Grant/Home Funds. Mr. Rubio Aguilar claims damages in the amount of \$50,000.00.

Our investigation reveals that the Department of Neighborhood Services (DNS) inspected this property pursuant to an application for a Certificate of Code Compliance. The certificate was issued by DNS on June 19, 2001 after the home met the requirements of Chapter 275, Milwaukee Code of Ordinances. The DNS records do not reflect that they received any other complaints or that the residential staff made any return visits to the property, until a complaint was received regarding the property in Fall 2004, regarding work that was done at the property.

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The Southside Community Organization (SCO) purchased this home from the City using Community Block Grant funds secured from the Department of Administration-Community Development Grants Administration Office. The funds were to be used for purchase and rehabilitation of this property. The SCO was responsible for the maintenance of this property. The City departments followed standard procedures in this matter, as such, we recommend denial of this claim.

Very truly yours,



GRANT F. LANGLEY  
City Attorney



MICHAEL G. TOBIN  
Assistant City Attorney

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Enclosure

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