

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD (414) 286-2025
FAX (414) 286-8550

THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
VINCENT J. BOBOT
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM STEPHENS

Assistant City Attorneys

July 8, 2005

1225 Properties, LLC
Attn: David Ohrmundt, Managing Member
P. O. Box 04313
Milwaukee, WI 53204

RE: 1225 Properties, LLC
C.I. File No: 05-S-120

Dear Mr. Ohrmundt:

We have received your claim in the amount of \$917.46, relating to damage you sustained on December 27, 2004 when the City of Milwaukee Fire Department made forced entry into your property at 1919 South 6th Street.

Our investigation reveals the Milwaukee Fire Department (MFD) was sent to the subject residence as a result of a phone call regarding leaking water from this vacant home. The MFD records indicate the screen door was open but they had to force the door to check on the source of the leaking water. The MFD initially tried to gain entry through the rear door but were unable to gain entry. The supervisor on scene also made the decision to gain entry through a rear window, but it had window stops on it. The MFD followed standard procedures with regard to the entry to the dwelling in situations such as this. Due to the emergency situation at hand, it was not a standard procedure for the MFD to shut the water off at the street. The Milwaukee Police Department (MPD) records reflected they attempted to contact the property owner via the preferred contact information that is on file with the Department of Neighborhood Services. Since the MPD was unable to contact the property owner the decision was made to secure the property with a Department of Public Works (DPW) Board-up. The City departments followed proper procedures, as such, it cannot accept liability and we are denying your claim. The Administrative Review-Appeals Board will hear your appeal request relative to the DPW Board-up charges. You will be contacted by them regarding the hearing information.

1225 Properties, LLC
July 8, 2005
Page 2

If you wish to appeal any of the other items that were denied, you may do so by sending a letter within 21 days of the date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,



GRANT F. LANGLEY
City Attorney



ROBERT M. OVERHOLT
Investigator Adjuster

RMO:beg
1061-2005-1003/1003.001:94790