

IMPORTANT NOTICE: A \$25 FILING FEE MUST ACCOMPANY THIS APPEAL.

Checks should be made payable to: City of Milwaukee

IF THE CHARGES HAVE ALREADY APPEARED ON YOUR TAX BILL, THIS APPEAL CANNOT BE FILED

PLEASE READ CAREFULLY: This Board may only determine if the City Department followed proper administrative procedures. It cannot hear appeals as to whether a Building Order is valid or not (those must be appealed to the Standards and Appeals Commission)

TO: Administrative Review Appeals Board
City Hall, Rm. 205
200 E. Wells St.
Milwaukee, WI 53202
414-286-3926

CITY OF MILWAUKEE
2022 MAR 21 A 11:17
CITY CLERK'S OFFICE

DATE: March 21, 2022

RE: 1639 S. 11th Street, Milwaukee, WI (Address of property in question)

Pursuant to Chapter 68 of the Wisconsin Statutes and Section 320-11 of the Milwaukee Code of Ordinances, this is a written petition for appeal and hearing.

I am appealing the administrative procedure followed by Dept. of Neighborhood Services, Vacant Bldg. Program
(Name of City Department)

Amount of the charges \$ 1,016.00

Charge relative to: Bldg. alleged subject to Vacant Bldg. Registration (VBR) (see attached Feb. 21, 2022 Letter)

I feel the City's procedure was improper due to the following reasons and I have attached any supporting evidence, including city employee's names/dates which I spoke to regarding this issue and copies of any city orders received :

Pursuant to the Administrative Review Appeals Board, Rules of Procedure (12/11/20),
Appellants Panfilo Perez-Castillo and Norma R. Ramirez, by their attorney, Paul D. Langer,
hereby appeal the imposition of the \$1,016.00 civil fine by letter dated February 21, 2022,
issued by the Department of Neighborhood Services, Vacant Building Registration Program.

The basis for this appeal is contained in the attached "Statement of the Case."

Atty. Paul D. Langer
(Your signature)

Atty. Paul D. Langer (Wis. State Bar No. 1009568) 414-698-3853

(Your name – please print)

Law Office of Paul David Langer, 14170 W. Greenfield Ave., Suite 200, Brookfield, WI 53005

(Your mailing address, zip code AND DAYTIME PHONE NUMBER)

STATEMENT OF THE CASE

Appellants Panfilo Perez-Castillo and Norma R. Ramirez are husband-and-wife owners of the single-family residence at 1639 S. 12th Street in Milwaukee that is the subject of this Vacant Building Registration (VBR) citation. Mr. Perez-Castillo is also the sole owner of a small, minority-owned and operated construction and renovation company — P&C Construction LLC — which, among other things, renovates existing single-family residences.

Appellants purchased this residence in early 2020, with the intent of renovating it for a permanent home for their family when that renovation was completed. Beginning in February 2020 and continuing through January 2021, Mr. Perez-Castillo's company — P&C Construction LLC — worked on renovating the basement area of this residence.

In early 2021 and continuing to the present, P&C Construction LLC began renovating the remainder of this residence. Mr. Perez-Castillo's company has continued to renovate and remodel this residence, and Mr. Perez-Castillo has been working with the City of Milwaukee building inspector to secure the necessary permits and approvals for this work.

Additionally, beginning in January 2021, Appellants leased an apartment in this residence, complete with and bedroom, bathroom, and kitchen, to a tenant for \$500/month. That same tenant has resided there since January 2021, and continues to reside there now.

Under these facts, this single-family residence is not “vacant” as defined in Milwaukee Code of Ordinances 200-51.7(3)(c) (2016), in that “[a]n owner occupied single family home or owner occupied 2-family dwelling residential property shall not be deemed vacant if it has been used as a residence by the owner for a period of at least 3 months within the previous 9 months and the owner intends to resume residing at the property.”

Alternatively, under Milwaukee Code of Ordinances 200-51.7-5(d-1), a property is “exempt” from the VBR provisions when such property “is undergoing an active renovation or rehabilitation, provided a written plan for such renovation or rehabilitation has been submitted to and approved by the commissioner in accordance with subd. 2.” Because this property has been undergoing “active renovation or rehabilitation,” if this residence is deemed “vacant” and subject to the VBR program, then Appellants respectfully request additional time within which to file a written plan for renovation or rehabilitation, and dismissal of the VBR citation and the \$1,016.00 civil fine.

FOR THESE REASONS, Appellants respectfully request dismissal, with prejudice, of the VBR citation.



Erica R. Roberts
Commissioner

Thomas Mishefske
Operations Director

Michael Mazmanian
Operations Director

Department of Neighborhood Services
Vacant Building Program
4001 S. 6th Street
Milwaukee, WI 53221-1704

February 21, 2022

PANFILO PEREZ CASTILLO
NORMA R RAMIREZ
1958 S 12th ST
Milwaukee, WI 53204

Record ID: VAC-20-00004

Re: 1639 S 11TH ST

The buildings at the above address were found to be vacant and subject to the Vacant Building Registration Program: SINGLE PRIMARY STRUCTURE. Because the building(s) remained vacant for a period of 6 months you are required to pay a vacant building inspection renewal fee of \$254.00 per building.

You are being charged \$762.00 additional because you had code violations at the time of the semi-annual vacant building registration renewal.

The total fee is \$1,016.00. This fee includes a 1.6% training and technology surcharge.

Please pay online at milwaukee.gov/lmspay

Checks should be made payable to City of Milwaukee and sent to:

Department of Neighborhood Services
Attn: Cashier
841 N. Broadway, Rm 105
Milwaukee, WI 53202

Any outstanding fees not paid by August 31, 2022 will automatically be assessed to your 2022 tax bill. For questions regarding this fee, call 414-286-2268. More information on this program is available at <<http://www.city.milwaukee.gov/dns/vbr>>

If you wish to appeal these charges you must file that appeal within 30 days of the date of this letter. It must be filed with: The Administrative Review and Appeals Board, Office of the City Clerk, Room 205 City Hall, 200 E. Wells Street, Milwaukee, Wisconsin 53202. 414-286-2221. Please contact them to obtain the proper application form. There is a \$25.00 fee required when filing the appeal.

Please be advised that if you have filed for bankruptcy, this letter is for informational purposes and is not intended to be construed as an attempt to collect a debt during the pendency of your bankruptcy as other conditions may apply.

Detach

bottom portion and return along with check

(Please write taxkey on check)

2/21/2022

Vacant Building Inspection Payment Stub

Taxkey: 4611338000

Re: 1639 S 11TH ST

VAC-20-00004

Amount Due: \$1,016.00



Receipt of A.R.B.A.

Date:	3/21/2022
Received Of:	Atty. Paul D. Langer for Panfilo Perez Castillo and Norma R Ramirez
Property at:	1639 S 11 th Street
Received By:	JP
Check # (If Applicable):	Ck# 1059
Amount Received	\$25.00

CITY OF MILWAUKEE
2022 MAR 21 A 11:17
CITY CLERK'S OFFICE