

# CONWAY & JOSETTI

LLC

13555 Bishops Court - Suite 230 - Brookfield, WI 53005

Phone: (414) 539-2600 Fax: (414) 446-3531

Writer's E-Mail: [dconway@conwayjosetti.com](mailto:dconway@conwayjosetti.com)

December 10, 2024

Administrative Review Appeals Board  
Office of the City of Clerk – **Hand Delivered**  
200 E. Wells Street  
Room 205  
Milwaukee, WI 53202

RE: Nuisance Determination against Berrada Properties 124, LLC  
2850 W. Highland Blvd

Administrative Review Appeals Board:

We have received your Notice that our November 26, 2024, appeal was rejected due to the enclosed fee being made out to the wrong entity. We have enclosed our original notice, along with a corrected check, for the Board's review.

We note that this fee is not set forth in the Milwaukee Code of Ordinances § 320-11 or § 80-10-5. We believe that we have sufficiently preserved our appeal as it was timely filed originally, and we did not receive notice of its rejection until today.

Very truly yours,

*/s/ Daniel C. Conway*

DANIEL C. CONWAY

DCC/MAP



Office of the City Clerk

**Jim Owczarski**  
City Clerk  
jowcza@milwaukee.gov

**Dana J. Zelazny**  
Deputy City Clerk  
d.zelazny@milwaukee.gov

December 2, 2024

I am returning your appeal and check as the check is made out to “Administrative Review Board of Appeals” and I cannot cash it as it needs to be made out to “City of Milwaukee” (as noted on the appeal form) or “City Clerk”. In order to accept your appeal, it must be returned, with a money order or check made out correctly, or cash, **within the deadline on the bill.**

Sincerely,  
Linda M. Elmer  
Staff Assistant to ARBA





**IMPORTANT NOTICE: A \$25 FILING FEE MUST ACCOMPANY THIS APPEAL, WITHIN THE DEADLINE REFERENCED BY THE BILL.**

Checks should be made payable to: City of Milwaukee and a copy of the bill should be included with your appeal

**IMPORTANT NOTICE FOR CUSTOMERS PAYING BY CHECK**

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account, or to process the payment as a check transaction.

**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 Board of Appeals  
City Hall, Rm. 205  
200 E. Wells St.  
Milwaukee, WI 53202  
(414) 286-2231

**DATE:** 11/26/24

**RE:** 2850 W. Highland Blvd  
(Address of property in question)

Under ch. 68, Wis. Stats., s. 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 Milwaukee Police Department  
(Name of City Department)

Amount of the charges \$ Nuisance Determination

Charge relative to: Nuisance determination

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:

See the enclosed letter from Attorney Conway.

Michael A. Pflughoeft Jr.  
Signature

Michael A. Pflughoeft Jr.  
Name (please print)

13555 Bishops Ct, Brookfield WI 53005  
Mailing address and zip code

414-539-2600  
Daytime phone numbers

mpflughoeft@conwayjzjt.com  
E-Mail Address(s)

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LLC

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Phone: (414) 539-2600 Fax: (414) 446-3531

Writer's E-Mail: dconway@conwayjosetti.com

November 26, 2024

Administrative Review Appeals Board  
Office of the City of Clerk  
200 E. Wells Street  
Room 205  
Milwaukee, WI 53202

RE: Nuisance Determination against Berrada Properties 124, LLC  
2850 W. Highland Boulevard

Administrative Review Appeals Board:

Our office has been retained to represent Berrada Properties 124, LLC ("Berrada Properties"), regarding its appeal of a determination of the Chief of Police that the premises located at 2850 W. Highland Boulevard (the "Premises") is a chronic nuisance under MCO 80-10. Please accept this letter as a formal initiation of the appeals process pursuant to Sec. 80-10-5 of the Milwaukee Code of Ordinances and Wis. Stat. § 68.08. Our check in the amount of \$25 for the appeal fee is enclosed herewith.

The grounds upon which the appeals are sought include, but are not limited to:

1. Berrada Properties does not believe the persons involved in the incidents were tenants or anyone else associated with the premises;
2. The Premises may not have generated 2 or more responses from the police department as required by MCO 80-10;
3. Assessing the cost of police activity against Berrada Properties violates Berrada Properties' Constitutional rights; and
4. Berrada Properties may not have been the owner of the Premises at the time of the incident.

Please be advised that, concurrent with this appeal, we have requested all records, CAD Notes, and any documentation from the Milwaukee Police Department which support its determination. Given the limited information regarding the incidents provided in the notice, it does not appear that Berrada Properties is responsible for any nuisance activities.

Administrative Review Appeals Board

November 26, 2024

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Thank you in advance for your consideration.

Very truly yours,

*/s/ Daniel C. Conway*

DANIEL C. CONWAY

DCC/MAP

CC: Raymond Bratchett, District Commander  
enclosure

## Receipt of ARBA Fee

Date:	12/10/24
Received Of:	Michael Pflughoeft
Property at:	2850 W. Highland Blvd.
Received By:	LME
Check # (If Applicable):	Cash
Amount:	\$25.00

CITY OF MILWAUKEE  
2024 DEC 10 P 2:03  
CITY CLERK'S OFFICE