

Baldwin, Benjamin

From: osceria douglas <osceriadoug@yahoo.com>
Sent: Tuesday, October 02, 2018 4:00 PM
To: Baldwin, Benjamin
Subject: Re: appeal--1032-2018-1485

I Zemon and Osercia Hayes would like to appeal the decision rendered on the claim regarding our vehicle.

Osercia Hayes

On Monday, October 1, 2018, 11:49:16 AM CDT, Baldwin, Benjamin <bmbaldw@milwaukee.gov> wrote:

Ms. Hayes:

Tried to reach out to you regarding your intention to appeal the decision rendered by our office, as to the incident involving your vehicle on May 27, 2018. In order to address your desire to appeal our decision, could you please send a formal request that you wish to file an appeal on the decision rendered by our office.

You can send it via return email. If you have any questions regarding this request, please feel free to call me directly at 414-286-5032.

Thank you

Benjamin M Baldwin

Investigation / Adjuster.

Office of the Milwaukee City Attorney

841 North Broadway, Suite 716

Milwaukee, WI 53202

General Office: 414-286-2601

Direct Dial: 414-286-5032

Fax: 414-286-8550

Email: bmbaldw@milwaukee.gov

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JUL 09 2018

3 20 A.M./P.M.

June 29, 2018

To whom it may concern:

On May 27, 2018 my family's only vehicle, a 2013 Chevy Traverse was stolen from our residence. This vehicle was reported stolen in person by Zemon Hayes (husband) on the same day. On June 21, 2018 I Osceria Hayes received a city of Milwaukee parking citation in the mail. This citation had been cited on May 31, 2018, on my stolen 2013 Chevrolet Traverse. After receiving this citation, I immediately became frustrated and confused. I called, as well as physically went in to the district where our original report ^{was given} speaking with several officers (names and badge numbers are available upon request). It was disclosed to me that Milwaukee Police Officer and City of Milwaukee Parking Officer use the exact same database to search license plates, and there is no reason to excuse the fact that a parking citation was placed on a stolen vehicle, and never reported to authorities. It also was noted that the vast majority of vehicles stolen in the city of Milwaukee, are recovered by City Parking officers.

On this same day June 21, 2018, I remained persistent in requesting an officer to go out to the location listed on the citation I received in the mail, to see if my vehicle was still in that vicinity. At or around 1am on June 22, 2018 I revived a phone call from a Milwaukee Police officer stating that my vehicle had been recovered. My vehicle was recovered parked on the street a few resident addresses from the actual address listed on the parking violation cited on May 31, 2018, which was mailed to my home.

My family's vehicle could have been recovered just 4 days after it was reported stolen to authorities, when it was cited for a night parking violation, had the proper procedure been followed. This situation has been a nightmare for my family, as this was our only means of transportation.

We had to file a claim with our insurance company. The insurance company deemed the vehicle a total loss (after 10 days without being recovered), and we were forced to finance another vehicle.

Due to the negligence of the City of Milwaukee Parking Officer, who instead failed to follow proper procedure, issuing a citation on a documented stolen vehicle

I Osercia Hayes and Zemon Hayes are seeking the monetary value of our new vehicle, our insurance deductible, and cash value of our CNA Gap insurance premium that had to be utilize during this manner. An itemize list of loss is attached as well as supporting documentation of loss.

Contact information

Zemon and Osercia Hayes

414-841-5384

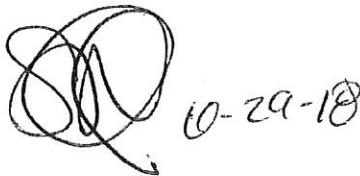
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Ex: 8-18-21



10-29-18

Itemized loss	
Finance amount New Vehicle	23,930.30
Metlife insurance deductible	500
Gap Insurance Premium	800
Total	25,230.30

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3:20 A.M. (P.M.)

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233
414-933-4444

Case #: 181470030

Incident #: 181470030

Event

5269 N 27TH ST Milwaukee, WISCONSIN 53209

Nature of Incident:

Reported Date: 05/27/2018 03:45:00
Incident Start Date: 06/22/2018 00:35:00
Incident End Date: 05/27/2018 03:25:00
Date Received: 06/22/2018 01:04:00
Case Status: PENDING
Case Status Date: 06/22/2018
Exceptional Clearance: NOT APPLICABLE (NOT CLEARED EXCEPTIONALLY)
Domestic Violence: No
Beat: 440
District: 4
Latitude: 43.113336282484
Longitude: -87.94683815740
Altitude: 0
Reporting Area: 1862
Case Summary: Unknown suspect intentionally deprived the victim of their vehicle without consent.
CAD Number:: 181470415
PV-17 Issued:: No
PDMP Form Completed: (If Applicable): No
This Incident is a Non-Fatal Shooting:: No
This Incident is a Robbery with a vehicle taken: (Car Jacking): No
This is a Home Invasion type of Incident:: No
Processed For Prints::
Processing Used For No Lifts::
Processing Used For No Lifts::

Suspects (1)

Unknown,

Person Number: 0
Related Offenses: 943.23(2) Take and Drive Vehicle w/o Consent__ 240 MOTOR VEHICLE THEFT 943.23(2)
Suspect Arrested:: NO
DOB::

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Victim (1)

HAYES, ZEMON D JR (HAYES,ZEMON D)

Victim Type: PERSON / INDIVIDUAL (NOT A LAW ENFORCEMENT OFFICER)
DOB: 07/03/1989
Age: 28
Sex: MALE
Race: BLACK/AFRICAN AMERICAN
Ethnicity: NOT HISPANIC/LATINO
Resident Status: RESIDENT
Address: 3935 N 62ND ST
City: Milwaukee
State: WISCONSIN
Zip Code: 53216
Beat: 740
District: 7
Latitude: 43.0889157883954
Longitude: -87.9898804024074
Altitude: 0
Phone 1 Type: Cell
Phone 1 Number: (414)-916-2028
Phone 2 Type: Other
Phone 2 Number: (414)-841-5384
Height: 0
Weight: 0
Eye Color: Black
Hair Color: Brown
Person Number: 1
Related Offenses: 943.23(2) Take and Drive Vehicle w/o Consent__ 240 MOTOR VEHICLE THEFT 943.23(2)

Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233
414-933-4444

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Case #:181470030

Incident #: 181470030

Offenses (1)

943.23(2) Take and Drive Vehicle w/o Consent__ 240 MOTOR VEHICLE THEFT 943.23(2)

Attempted/Completed:	COMPLETED
Bias Motivation:	NONE
Offender Suspected of Using:	Not Applicable
Cargo Theft:	NO
Location Type:	HIGHWAY/ROAD/ALLEY/STREET/SIDEWALK
Completed:	No
Forced Entry:	No

Vehicle (1)

2013 Chevrolet Traverse

VIN:	1GNKRFED2DJ103490
License Plate Number:	249WYW
License Plate State:	WISCONSIN
Property Class:	AUTOMOBILES
Color(s):	Aluminum or Silver
Property Value:	20000
Style:	CARRY-ALL
Plate Expires:	07/14/2018
Insured By:	MET LIFE
Related Offense:	943.23(2) Take and Drive Vehicle w/o Consent__ 240 MOTOR VEHICLE THEFT 943.23(2)
Comments:	2013 CHEVY TRAVERSE
Vehicle Involvement::	STOLEN
Relationship to Vehicle::	HAYES ZEMON D, Owner
Property Title::	STOLEN AUTO
Plate Type::	Civilian, Passenger
Distinguishing Marks and Features::	NONE

Vehicle Recovery Info (1)

Tow Number:: 1692954
 Tow Company Name:: CITY OF MILWAUKEE TOW LOT
 Address Vehicle Towed To:: 3811 W LINCOLN AVE
 If the vehicle was taken with keys, were the keys recovered?: No
 Was Victim Notified of Recovery? (If No, Explain): YES
 Victim Notified Date/Time:: 06/22/2018 00:50:00
 Who made or attempted to make Notification? (Name & Peoplesoft): PS#028815
 Number of Plates:: TWO
 Damage:: NONE
 Vehicle Recovery:: STOLEN LOCALLY AND RECOVERED LOCALLY
 Original Reporting Agency:: MILWAUKEE PD
 Recovery Status:: TOWED
 Vehicle Cleared out of the NCIC/CIB Files By:: PO FEKETE

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Narrative (2)

Supplement Report

05/30/2018

This report was written by P.O. Nicholas GAJEWSKI assigned to District 7, Late Shift, Desk Sergeant.

On May 27, 2018 at 3:45 AM, Zemon D HAYES JR. walked into District 7 located at 3626 W Fond Du Lac Av, in the City and County of Milwaukee to report his vehicle stolen.

HAYES stated that he last seen his silver 2013 Chevrolet Traverse bearing WI plate # 249WYW, VIN# 1GNKRFED2DJ103490 on 5/27/2018 at 10:10 PM parked in the drive way of his residence located at 3935 N 62nd ST, in the City and County of Milwaukee. HAYES stated that he looked out of his house when he woke up at 3:35 AM and noticed his vehicle missing.

HAYES stated he asked his wife if she knew where the car was an realized the keys were missing. HAYES stated his Wife left the keys in the car and that is how someone took the vehicle.

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Abused or Neglected Animals in the No home::

7/2/2018

InformRMS Home

Has Victim or Witness Observed Abuse to Pets:: No
Victim was Intoxicated or Influenced by Drugs:: No
Suspect was Intoxicated or Influenced by Drugs:: No
Suspect Arrested:: No
Wisconsin Department of Children and Families Notified (220-7233):: No

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Milwaukee Police Department

749 W. State Street Milwaukee, WI 53233
414-933-4444

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Case #: 181470030

Incident #: 181470030

INITIAL INVESTIGATION

Fekete, Ryan M 019710 019710

05/27/2018

See supp written by PS# 021515.

Abused or Neglected Animals in the home:: No
 Has Victim or Witness Observed Abuse to Pets:: No
 Victim was Intoxicated or Influenced by Drugs:: No
 Suspect was Intoxicated or Influenced by Drugs:: No
 Suspect Arrested:: No
 Wisconsin Department of Children and Families Notified (220-7233):: No

Officer (8)

Reporting Officer: Gajewski, Nicholas G (021515) 05/30/2018 08:19:00

Section: (Work Location): 73

Approving Officer: Jackson, Elbertroy L (015619) 05/30/2018 23:17:35

Approving Officer: Dall, Bradley R (008842) 05/28/2018 02:12:24

Investigating Officer: Gajewski, Nicholas G (021515) 05/27/2018 04:10:00

Section: (Work Location): 73

Reporting Officer: Fekete, Ryan M (019710) 06/22/2018 01:31:00

Section: (Work Location): 40

Approving Officer: Wenner, Carrie M (004397) 06/26/2018 08:28:16

Reporting Officer: Fekete, Ryan M (019710) 05/27/2018 04:17:00

Section: (Work Location): 40

Investigating Officer: Stegerwald, Brett T (028815) 06/22/2018 01:33:00

Section: (Work Location): 43

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3:20 A.M. (M)

MetLife Auto & Home
Charlotte Field Claim Office
Attention: Claims
P O. Box 6040
Scranton, PA 18505
(800) 854-5011

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3:20 A.M. (P.M.)

June 8, 2018

Zemon Hayes
3935 N 62nd St
Milwaukee, WI 53216

Our Customer: Zemon Hayes
Claim Number: SL183379 NM
Date of Loss: May 27, 2018
Policy Number: 0671
VIN#: 1GNKRFED2DJ103490

Dear Zemon Hayes:

Your 2013 Chevrolet Travers has been declared a total loss. You are entitled to recover the actual cash value of your vehicle. The year, make, model, mileage, options and condition of your vehicle determine the actual cash value.

In the event we pick up and dispose of your total loss vehicle, our offer is as follows:

Base Vehicle Value \$ 12,780.00
Adjusted Vehicle Value \$ 12,780.00
Vehicular Tax (5.6%) + \$ 715.68
Tax reflects applicable state, county and municipal taxes.
DMV FEE + \$ 78.50
Value before Deductible \$ 13,574.18
Deductible - \$ 500.00
Total \$ 13,074.18

If you are currently renting a vehicle, please return your rental on or before 06/14/2018 to avoid incurring any out of pocket expense.

Although we make all attempts to ensure that your settlement amount is inclusive of all applicable sales tax for your venue, please advise us if you become aware that the sales tax in your county/state is different than what we have calculated.

Should you have any questions, I am available during normal business hours to discuss our settlement offer and the claims process.

MetLife Auto & Home is a brand of Metropolitan Property and Casualty Insurance Company and its affiliates, Warwick, RI

MPL FOL-ORS-NORS

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Milwaukee Violations Bureau

P.O. Box 346 Milwaukee, WI 53201-0346

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JUL 09 2016

3:20 A.M. J.

VIN #
VEHICLE REGISTRATION: WI249WYW

CITATION#	CITATION DATE	LOCATION	TIME	VIOLATION	FINE	AMT PAID	AMT DUE
109595124	06/12/2016	5317 N 127TH ST	03:11 AM	NIGHT PARKING - VRCN	\$20.00	\$0.00	\$20.00

You have been charged with violating an ordinance of the City of Milwaukee. Payment has not been received and the forfeiture has increased as provided by law.

DESCRIPTION	AMOUNT	AMOUNT
1. Pay using a secure internet site by accessing www.milwaukee.gov/parking and clicking on the "Online Parking Citation Payments" link OR		
2. Call (414) 344-0840 to pay by phone using your Visa or MasterCard or Discover. Available 24/7. OR		
3. Return the bottom portion of this notice with your payment. Make check or money order payable to the City of Milwaukee. Mail in the return envelope provided, OR	109595124	\$25.00
4. Pay in person at one of the following citation payment centers: a. North Side: 6223 N. Teutonia b. South Side: 2980 S. Chase c. Downtown: 749 West State St., Room 204J OR		
5. Pay at automated payment centers located at Milwaukee Police district stations 1 - 7. Pay with cash, check, MasterCard, Visa or Discover. Available 24/7.	TOTAL DUE:	\$25.00

Call (414) 344-0840 if you have questions concerning this violation or if you want to schedule a review of this violation by the Citation Review Manager. Walk in hearings will not be allowed. At the time of your review bring this notice and any other pertinent information.

The State Department of Transportation may suspend your vehicle registration and refuse renewal of any of your vehicles if you fail to pay or contest this citation within 53 days from the citation issue date.
Vehicles illegally parked having three or more unpaid citations may be towed.
Pay citation promptly or arrange for a hearing to avoid increases in the forfeiture cost.
Citation forfeitures may increase up to thirty dollars (\$30) over the original fine, 10 days, 28 days and 58 days after issuance.
Call (414) 344-0840 for information about increases specific to your violation.
Failure to pay citations in full may result in the interception of your Wisconsin state income tax refund.
Sign up for Parking Alerts and Winter Parking Alerts at milwaukee.gov/enotify

TWO OR MORE UNPAID CITATIONS MAY SUBJECT YOU TO TOWING.
SE HABLA ESPAÑOL TELEPHONE (414) 344-0840

Keep Upper Portion for Your Records

Detach Lower Portion and Return with Payment

3915354
290SPROF20333P001

CSPROF20-MILWA
PO Box 1280
Oaks PA 19456-1280

ADDRESS SERVICE REQUESTED

Citation #: 109595124
Amount Due: \$25.00
Vehicle Registration: WI249WYW

June 18, 2016

MAIL ALL PAYMENTS TO:

OSGERIA HAYES
3935 N 62nd St
Milwaukee WI 53216-2110

CITY OF MILWAUKEE VIOLATIONS BUREAU
P.O. Box 346
Milwaukee, WI 53201-0346

MILWA 03528401007932 002500



**Guaranteed Auto Protection
GAP Advantage Program
Debt Waiver Addendum
ENROLLMENT**

GAP NUMBER: **GPR-21651018**

This Guaranteed Auto Protection (GAP) Debt Waiver Addendum ("Addendum") amends Your retail installment sales/loan/lease contract ("Finance Contract").

RETAIL INSTALLMENT SELLER ("Dealer/Creditor")
BRAEGER CHEVROLET

BUYER OR LESSEE ("You" or "Your")
ZEMON DERRICK HAYES JR OSCERIA HAYES

PHONE NO. **(414)281-5900** MAILING ADDRESS **4100 S. 27th** CITY **Milwaukee, WI** STATE **WI** ZIP **53221**

PHONE NO. **(414)916-9025** MAILING ADDRESS **3335 N 62ND ST** CITY **MILWAUKEE, WI** STATE **WI** ZIP **53216**

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3 20 A.M.P.M.

FINANCIAL INSTITUTION ("Lender")
GUARDIAN CREDIT UNION

PHONE NO. _____ CITY _____ STATE _____ ZIP _____

11220 W OKLAHOMA AVE WEST ALLEN WI 53227

AGREEMENT TYPE AND COVERAGE PERIOD	CONTRACT TERM (MONTHS)	PURCHASE LEASE	GAP ISSUE DATE DAY/MONTH/YEAR	SALE MILEAGE	GAP ADDENDUM PURCHASE PRICE
	75	LEASE	07/15/15	42,729	\$ 800.00
COVERED VEHICLE DESCRIPTION	YEAR	MAKE	MODEL	VEHICLE IDENTIFICATION NUMBER	
	2013	CHEVROLET	TRAVERSE	1GNKR FED2DJ103490	
VALUE OF COLLATERAL	MSRP/NADA VALUE RETAIL VALUE	MONTHLY PAYMENT	FINANCED AMOUNT OR LEASE NET CAPITALIZED COST		
	\$ 21,900.00	\$ 363.65	\$ 26,182.92		
ALTERNATE FINANCING <input type="checkbox"/>		RESIDUAL VALUE \$ _____			

***Maximum Contract Term cannot exceed 84 months and value of collateral cannot exceed \$100,000.**

By signing below, You acknowledge that You have read and understand the provisions contained in this Addendum including State Provisions on the back and that You are not relying on any other writings or any other representations or promises other than those within this Addendum. If any of the information shown in the registration section is in error, You must contact the GAP Program Administrator immediately. The GAP Program Administrator will make any appropriate changes by endorsement to this Addendum and will immediately forward a copy of the endorsement to You via first-class mail. In the event of a Total Loss, You are responsible for notifying Your Primary Automobile Insurance Company and the GAP Program Administrator. See "How to Submit a Claim" for additional information. By signing below, You accept this contract.

The information shown above is true to the best of our knowledge

RETAIL INSTALLMENT SELLER: *[Signature]* DATE: **08/29/2015** IS FIRST PAYMENT **C6315P**

BUYER OR LESSEE: *[Signature]* DATE: **07/15/15**

CO-BUYER / CO-LESSOR: *[Signature]* DATE: **07/15/15**

ELIGIBILITY LIMITS: You may purchase this Addendum only at the time the Finance Contract is executed. This Addendum may not be attached to a Finance Contract under which: (a) the financed amount or lease capitalized cost exceeds \$100,000 or 150% of the Manufacturer's Suggested Retail Price ("MSRP") for a new vehicle or 150% of the National Automobile Dealers Association ("NADA") Official Used Car Guide retail value for a used vehicle, (b) the purchase price or lease capitalized cost or the MSRP for a new vehicle or the NADA retail value for a used vehicle exceeds \$100,000, or (c) the Finance Contract term exceeds 84 months.

ELECTION: You have elected to purchase this Addendum for a separately stated charge. You may, at Your option, purchase GAP protection from the Lender or another source that is acceptable to the Lender. This Addendum is not automobile insurance, nor does this Addendum fulfill any requirements of any financial responsibility laws. You understand that GAP benefits under this Addendum decrease over the term of the Finance Contract and that some provisions within this Addendum may restrict or limit these benefits. You agree to maintain automobile physical damage and collision coverage through Your Primary Automobile Insurance Company for the full term of this Addendum, as required by the terms of the Finance Contract. Your purchase of this Addendum is strictly voluntary and is not required for the buyer to obtain an extension of credit. Additionally, Your purchase of this Addendum will not be a factor in the credit approval process.



DEPARTMENT OF PUBLIC WORKS – TOW LOT
3811 West Lincoln Avenue – Milwaukee, WI 53215
Ph: (414) 286-2700 – Fax: (414) 286-5093
TDD: (414) 286-2025

NOTICE DATE: 6/22/2018

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JUL 09 2018

3:20 AM/PM

HAYES, ZEMON DERRICK OR HAYES, OSCERIA
3935 N 62ND ST
MILWAUKEE, WI 53216-2110

TOW NUMBER: 1692954
DATE OF TOW: 06/22/2018
LICENSE NUMBER: WI M1606N
VEHICLE YEAR AND MAKE: 13 CHEV
VIN NUMBER: 1GNKRFED2DJ103490
OFFENSE REPORT FILE NO:
TOW CATEGORY: RECOVERED STOLEN
TOW ADDRESS: 5269 N 27TH ST

NOTICE OF TOWED VEHICLE

The vehicle listed above has been towed and impounded and may be reclaimed at the City of Milwaukee Tow Lot located at 3811 W. Lincoln Avenue, Milwaukee, Wisconsin.

If this vehicle is not claimed within 15 days from the above NOTICE DATE, it may be sold or destroyed by the City of Milwaukee. (If the 15th day is a Sunday or a holiday, you have until the close of the next business day to reclaim your vehicle.) PLEASE ACT PROMPTLY!

You are responsible for the payment of all towing and storage charges associated with this vehicle. Towing fees are \$105 and storage fees are \$20 per-day. Additional tow fees may apply when special resources are required (i.e. Oversized vehicles). If you fail to pay these fees your vehicle registration may be suspended.

The Tow Lot hours of operation are 7:00 a.m. to 6:00 p.m., Monday through Friday, Saturday from 7:30 a.m. to 3:00 p.m. and Sunday from 7:30 a.m. to Noon. Tow Lot hours will vary on the following holidays: New Years Day, Martin Luther King Jr. Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve, Christmas Day and December 31st. Please visit our website (city.milwaukee.gov/mpw/divisions/administrative/parking/ParkingTowing.htm) for holiday hours.

TO RECLAIM YOUR VEHICLE: You must be the owner, as recognized by the DMV and bring the following to the Tow Lot:

- A valid driver's license (if you are driving the vehicle from the lot). If you do not have a driver's license, you must have a state-issued picture ID and be accompanied by someone with a valid driver's license.
- Proof of current liability insurance for the vehicle to be retrieved. A valid insurance card containing the name of the insurance carrier, insured and vehicle information (make, model, year and VIN).
- To retrieve a vehicle on behalf of an owner, you must have the vehicle title, a driver's license or state issued photo ID and be accompanied by someone with a valid driver's license and have a signed, properly notarized letter or release form from the vehicle owner authorizing you to pick up the vehicle. The notarized letter and release form must identify the vehicle by color, make, model, VIN, license plate number and tow number. Insurance companies and tow companies must have a notarized letter or signed release form.
- Cash, cashier's check, money order, VISA or MasterCard are accepted for payment. **You are not required to pay for open citations in order to reclaim your vehicle.**

You may reclaim loose or personal property from within the vehicle by presenting proof of ownership and a valid state-issued picture ID at the tow lot. Personal property in the vehicle will be returned free of charge during posted business hours, but will be destroyed if your vehicle is unclaimed. Your vehicle will be deemed abandoned and destroyed or sold if you remove personal property without making arrangements to pay towing and storage fees.

TO DISPUTE THE LEGALITY OF YOUR TOW: You may obtain a review by the City Attorney at 951 N. James Lovell Street, Room 205.

If you are no longer the owner of this vehicle, or have any questions about this notice, please contact the City of Milwaukee Tow Lot at (414) 286-2700 during the business hours listed above.