

CONWAY & JOSETTI
LLC

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

January 7, 2025

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 34, LLC
4264 N. 27th Street

Administrative Review Appeals Board:

Our office has been retained to represent Berrada Properties 34, LLC ("Berrada Properties"), regarding its appeal of a determination of the Chief of Police that the premises located at 4264 N. 27th Street (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 responsible for 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

January 7, 2025

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Thank you in advance for your consideration.

Very truly yours,

/s/ Michael A. Pflughoeft Jr.

MICHAEL A. PFLUGHOEFT JR.

MAP/bms

CC: Jeremiah Jacks, District Commander
enclosure



Milwaukee Police Department
Police Administration Building
749 West State Street
Milwaukee, Wisconsin 53233
<http://www.milwaukee.gov/police>

Jeffrey B. Norman
Chief of Police

(414) 933-4444

Friday, December 20th, 2024

Berrada Properties 34 LLC
PO Box 241191
Milwaukee, WI 53224

Re: Notice of Nuisance Premises

Dear Berrada Properties 34 LLC,

This letter is notice to you that the Milwaukee Chief of Police, by the chief's designee, the district commander, has determined that the premises located at **4264 N 27th St** ("the premises") is a nuisance pursuant to Milwaukee Code of Ordinances ("MCO") § 80-10, Chronic Nuisance Premises. As an individual or entity that is licensed or subject to a license in the operation of a business upon the premises, you are a responsible party for abating the nuisance activities occurring at the premises.

The Milwaukee Police Department has responded to the following described nuisance activities at the premises on the corresponding dates, which qualify the premises as a nuisance:

1. On Monday, November 18th, 2024 at 9:25 PM, a call as placed to the Milwaukee Police Department for an Armed Robbery. The caller stated that two subjects broke in and robbed them. Officers did respond and investigate. **Crimes involving illegal possession or use of firearms (MCO 80-10-2-c-1-L) Robbery (MCO 80-10-2-c-1-gg)**
2. On Friday, December 13th, 2024 at 6:06 PM, a call as placed to the Milwaukee Police Department for a Subject with Gun. The caller stated cousin was armed with a gun and forced her and her 7 year old to strip out of their clothes. Officers did respond and investigate. **Crimes involving illegal possession or use of firearms (MCO 80-10-2-c-1-L)**

As a consequence, you may be subject to a collections action for the cost of future enforcement for any of the nuisance activities listed in MCO § 80-10-2-c that occur at the premises.

You are directed to respond to my office within 10 days of receipt of this notice with an acceptable, written course of action that you will undertake to abate the nuisance activities occurring at the premises, or file an appeal. You may appeal this nuisance determination to the Administrative Review Appeals Board. Any appeal must be in writing and a processing fee will

Once you have been billed for the costs of police services and enforcement for three or more separate nuisance activities within one year of the date of this notice of nuisance premises, the premises may be designated a chronic nuisance, pursuant to MCO § 80-10-6, and each and every subsequent incident of nuisance activity at the premises may be deemed a separate violation and result in a citation being issued to you for failure to abate the nuisance activity. Each citation would subject you to a forfeiture of not less than \$1,000.00 or more than \$5,000.00. Upon default of payment of a chronic nuisance citation you would be subject to imprisonment in the county jail or house of correction for a period of not less than 40 days or more than 90 days for each violation.

Please contact P.O. Christopher SCHLEI at 414-935-7504 with any questions, and I look forward to hearing from you.

Best regards,

JEFFREY B. NORMAN
CHIEF OF POLICE



JEREMIAH C. JACKS
DISTRICT COMMANDER

Attachment: Notice of Nuisance Premises
CC: Department of Neighborhood Service, Lake Tower 1st Floor -- Kristin Reed
City Hall Common Council - Pratt

v. 9/19

Receipt of ARBA Fee

Date:	1/13/25
Received Of:	Atty. Michael Pflughoeft, Jr.
Property at:	4264 N. 27 th St.
Received By:	LME
Check # (If Applicable):	1564
Amount:	\$25.00