

July 25, 2003

Grant F. Langley
City Attorney
200 East Wells Street
Milwaukee, WI 53202

CITY OF MILWAUKEE
2003 AUG -4 PM 1:23
RONALD D. LEONHARDT
CITY CLERK

RE: C.I. File No. 03-S-95

Dear Mr. Langley,

I am writing this letter in regards to the re-inspection fees that have continued to accrue and be charged to me for the property at 2147-49 S. 11th Street, and respond to your letter, which I should have received from you dated March 31, 2003. I never received your letter in the mail, and only became aware of its existence when I called the City Clerk's office trying to find if a date had been set with the Administrative Review-Appeal Board regarding the appeal that was sent to them in February. This transpired on July 15, and I received your letter by fax from Bettye in the City Attorney Claims Department.

I would like to believe that there has been a misunderstanding in this matter, but the actions by the Department of Neighborhood Services seems to be one that deliberately defers and delays our requests to cover the mistake that they have made. In your letter dated March 31, you note that the re-inspection fees should have been dealt with as part of the sale of the property. I absolutely concur with you. In a letter from the Department of Neighborhood Services dated April 8, 2002, it clearly defines that as of April 8, 2002 there are \$1,800.00 in reinspection fees accrued for this property. The closing for the sale of this property was on June 6, 2002, and a check was issued in the amount of \$1,925.13. As far as everyone at the closing was concerned, this should have closed this matter. Months later I received a bill from the DNS stating that there was still a \$2,400 balance for the re-inspection fees, and that I was liable for them. I have been working with Candace Maynard in the Department of Neighborhood Services since this time to bring resolution to this matter, with the assistance of my brother, Gerald Lahmann.

During this time I have sent a letter to the Administrative Review-Appeals Board, dated February 12, 2003, as well as a detailed letter to Candace Maynard dated May 14, 2003, with information that she requested from me. Why was the appeal letter ignored, and this matter deferred to your office instead? Why did we not receive your letter dated March 31, which had important dated response requirements? Why didn't Candace Maynard notify us that this matter was in your office's hands when she was contacted in May? In Ms. Maynard's response to the documentation sent to her in May, she stated that the letter, which is highlighted in the previous paragraph, was for the 2001 tax year only, even though the letter did not specify that nuance. The omission of such pertinent information is clearly an error on the part of the Department of Neighborhood Services. The April 8 letter corroborated the title search information, and the sale was completed with the expectation that this matter was cleared.

To: Administrative Review- Appeals Board

Re: 2147-2149 S. 11th St.

Date: February 12, 2003

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CITY OF MILWAUKEE
2003 FEB 19 PM 1:38
RONALD D. LEONHARDT
CITY CLERK

Dear Appeals Board,


I am writing this letter regarding the property listed above. I would like to appeal any or all of the reinspection fees that have accrued. My brother, Robert Lahmann incurred the fees when he was the owner of the property. There was a previous appeal initiated by Gerald Lahmann(brother) on Robert's behalf. Robert apparently did not show for the hearing on that appeal, and we have learned that the appeal was obviously denied. In the interim, I have now purchased the property from Robert. It was my understanding that the fees were to have been taken out of the proceeds of the sale at closing. The City has informed me that there has not been a resolution on the matter of the fees, and that I am now held responsible for them.

I have fixed the majority of the concerns that the city inspectors have had, and have incurred a major additional expense in doing so. I welcome the City Inspectors to view what I have done, and am anxious to complete any additional work deemed necessary. As a new homeowner with limited funds, it will be difficult to fund any additional work if I am required to pay for the massive reinspection fees that Robert has created. I again am requesting an appeal to the reinspection fees that Robert incurred.

Attached is a copy of the correspondence that my brother Gerald sent on Robert's behalf for your information.

I appreciate any assistance you can afford me on this matter.

Sincerely,



Jeff Lahmann

CITY OF MILWAUKEE
CITY ATTORNEY
03 FEB 19 PM 3:21

To: Administrative Review- Appeals Board

Re: 2147-2149 S. 11th St.

Date: June 7, 2002

Dear Appeals Board,

I am writing this letter on behalf of Robert G. Lahmann, owner of the property listed above. Robert has been apparently suffering from severe depression for many years. His condition and situation has just come to light for the family recently. He has been hospitalized after a suicide attempt, and is currently under psychiatric care. I now have Power of Attorney for Robert, and am trying to pick up the pieces and solve many problems that he has created. I have been made aware the \$1,800 in reinspection fees that have accrued for this property. Robert is presently living with our mother at her residence. The rest of the family is working hard trying to fix up the property on S.11th St. Robert is in major debt, has IRS problems dating back to 1997, and is not working. We are wishing to appeal the \$1,800 (or any part of) in reinspection fees, so that we can use the limited funds that we have to correct all of the conditions that you have detailed in your letter. We have contacted a contractor and will be getting an estimate for the repairs. If you need, I can present to you a schedule of all the work to be done. We want to work with you in any way possible to bring this property up to code. If there is any other information that you may need, please direct your communications to me. Your understanding is greatly appreciated. Enclosed are the Power of Attorney documents for your file.

Sincerely,

Gerald Lahmann
11506 W. Clarke St.
Wauwatosa, WI 53226

414-259-3210 Home
262-970-1265 Work

2002 CITY OF MILWAUKEE COMBINED PROPERTY TAX BILL

ACCOUNT TYPE: REAL ESTATE
 TAX KEY/ACCOUNT NO: 468-9938-100-9
 LOCATION OF PROPERTY: 2147 - 2149 S 11TH ST
 LEGAL DISCRIPTION: PLAT PAGE 468-17 NEIGHBORHOOD 4120
 LANDS IN SW 1/4 SEC 5-6-22 LAND BETW W GRANT ST-S 11TH ST-
 W BECHER ST & SE OF ALLEY
 N 60' OF S 205'

WAYNE F. WHITTOW
CITY TREASURER
 CITY HALL, ROOM 103
 200 EAST WELLS STREET
 MILWAUKEE, WISCONSIN 53202
 TELEPHONE (414) 286-2240

JEFFREY S LAHMANN
 2147 S 11TH ST
 MILWAUKEE, WI 53215

PRIOR TAXES ARE DELINQUENT

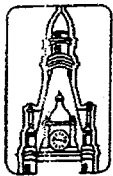
CLASS	Assessment-Land	Assmt.-Improvements	Total Assessment	Detail of Special Assessments and Other Charges		
RES	9,200	71,700	80,900	BLDG REINSPECTION	2,400.00	
Avg. Assmt. Ratio	Est. Fair Market-Land	Est. Fair Mkt.-Improvements	Total Est. Fair Market	TOTAL 2,400.00		
0.9810			82,500			
School taxes reduced by school levy tax credit			115.85			
Tax Levy	2001 Est. State Aids Allocated to Tax District		2002 Est. State Aids Allocated to Tax Districts	2001 Net Tax	2002 Net Tax	% Tax Change
State of Wisconsin				15.99	16.50	+3.1
Sewerage District				135.80	140.52	+3.4
Public Schools	662,663,681		681,918,823	615.13	639.52	+3.9
Technical College	11,017,223		10,823,196	161.90	165.93	+2.4
Milwaukee County	29,681,267		30,294,864	430.09	420.52	-2.2
City of Milwaukee	272,032,712		273,921,648	789.96	821.14	+3.9
Total	975,394,883		996,958,531	2,148.87	2,204.13	+2.5
Lottery Credit				-74.20	-75.64	+1.9
Net Property Tax				2,074.67	2,128.49	+2.5
Special Assessments and Charges					2,400.00	
WARNING: If the first installment payment is not paid by the due date, the installment option is lost. The total tax becomes delinquent and is subject to interest and penalty charges.				TOTAL DUE		4,528.49
Monthly Installment Payment Due: February through July 2003	235.55	Net Assessed Value Rate Before Lottery Credit		FULL PAYMENT DUE ON OR BEFORE JAN. 31, 2003		4,528.49
Monthly Installment Payment Due: August, September, and October 2003	159.85	27.245		FIRST INSTALLMENT PAYMENT DUE ON OR BEFORE JAN. 31, 2003		2,635.64

This copy of the current year property tax bill is for informational purposes only.

To make a payment, you need an original tax bill or a duplicate tax bill with the OCR-A scan line required for payment processing.

For more information, contact the Office of the City Treasurer, Customer Services Unit, at 414-286-2240.

1



City
of
Milwaukee

April 8, 2002

Department of Neighborhood Services
Inspectional services for health, safety and neighborhood improvement

Martin G. Collins
Commissioner

Schuyler F. Seager
Deputy Commissioner

ROBERT G. LAHMANN
2147 S. 11TH ST.
MILWAUKEE, WI 53215

Re: 2147-49 S 11TH ST

Dear ROBERT G. LAHMANN:

Our records indicate that a letter was previously sent to you informing you that your property will be reinspected on a monthly basis until all noted building code violations are corrected. Our objective is to make it in your financial best interest to comply.

Under the provisions of the Milwaukee Code of Ordinances Section 200-33-48, 1st reinspection is \$50 the 2nd \$75 the 3rd is \$150 and the 4th and all subsequent reinspections are \$300 (in addition to any already pending reinspection charges against the property). **As of April 8, 2002 there are \$1,800.00 in reinspection fees accrued for this property.** Failure to pay the reinspection fees will result in the charges being placed as a tax lien against the property and collected as part of the property tax bill.

Please do not further delay making the required repairs. If you have any questions regarding this process please contact me at (414) 286-2558.

Sincerely,

Michael Greylak
Assistant Supervisor

MG/sjv

Candace Maynard
841 N. Broadway
Milwaukee, WI 53202

To: Candace Maynard

From: Jeff Lahmann, Gerald Lahmann- for Robert Lahmann

Date: May 14, 2003

Re: 2147-49 S. 11th St. Reinspection charges

Dear Candace Maynard,

Attached is all of the documentation that we have regarding the reinspection fees for the property listed above. The documentaion shows a letter (Coded #1) from the City of Milwaukee Department of Neighborhood Services dated April 8, 2002 which shows a balance of \$1800.00 in reinspection fees accrued as of that date. This appears to be consistent with letter #2, which was received by Heritage Title Services from the City of Milwaukee's Municipal Taxes and Assessments Report showing a balance of \$1851.09 as of 5/16/2002. The additional \$51.09 is probably interest accrued on the initial \$1800. Letter #3, Tax Bill Information from the City of Milwaukee, supports the information from the previous letter. Letter #4 is evidence of Heritage Title Services requesting a DNS search, with a notation that further information was requested from the DNS, dated 5/16/02. Letter #5 is a fax from Heritage Title Services informing us that the Department of Neighborhood Services did not respond with any additional charges.

With the information that has been documented, it is apparent that the check that was delivered to the City of Milwaukee on June 6, 2002, as displayed on letter #6 in the amount of \$1,925.13, satisfied the outstanding balance for reinspection fees. This amount is consistent with the amount shown on all of our correspondence, especially letter #1, which was again provided by the Department of Neighborhood Services on April 8, 2002. The additional dollar amount is again probably attributable to interest accrued for the delinquent account.

This evidence supports the position that the delinquent reinspection fees were accounted and paid for at the time of closing for this property. The reinspection charges levied on Jeff Lahmann for \$2,400.00 are not consistent with our documentation. It is our position that such fees are in error and should be removed. We would like to bring closure to this concern and direct our attention to fulfilling the needed repairs on the property, of which there has been substantial progress. Please detail your response so we have clarity on how to proceed next. Please contact Attorney Thomas Healy and us with your response.

Sincerely,


Jeff Lahmann


Gerald Lahmann- for Robert Lahmann

cc. Attorney Thomas Healy
13060 W. National Ave.
P.O. Box 510333
New Berlin, WI 53151

CITY OF MILWAUKEE

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

PATRICK B. McDONNELL
LINDA ULISS BURKE
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8650

March 31, 2003

Jeff Lahmann
2147 South 11th Street
Milwaukee, WI 53215

RE: C.I. File No: 03-S-95

Dear Mr. Lahmann:

This office is in receipt of your claim in the amount of \$2,400.00, relating to building re-inspection charges on your tax bill for the Tax Year 2002 at 2147-49 South 11th Street.

The Department of Neighborhood Services records indicate Robert Lahmann was issued an order on November 15, 2000 for 16 exterior violations. He was granted 3 extensions on said order. The order was placed on monthly inspections as of June 2001. Gerald Lahmann appealed \$1,800.00 in re-inspection fees that appeared on the 2001 tax bill. The Department denied the appeal. The monthly re-inspection fees continued to accrue until the ownership changed into your name in June, 2002. There have been two new orders issued on this property. A survey conducted by an inspector on March 13, 2003 revealed many of the violations still remain. The re-inspection fees on the property should have been dealt with as part of the sale of the property. The department acted appropriately in this matter, and as such, the City would not be liable. Accordingly, we are denying your claim. There are subsequent inspection charges, if you wish to challenge the charges you must contact the Administrative Review-Appeal Board.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt 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
GRANT F. LANGLEY
City Attorney

Robert M. Overholt
ROBERT M. OVERHOLT
Investigator Adjuster

RMO:beg
1053-2003-658:65979

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
DAVID R. HALBROOKS
JAN A. SMOKOWICZ
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EDWARD M. EHRLICH
LEONARD A. TOKUS
MIRIAM R. HORWITZ
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Assistant City Attorneys

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OFFICE OF THE CITY ATTORNEY
200 EAST WELLS STREET, ROOM 800
MILWAUKEE, WISCONSIN 53202
Telephone No. (414) 286-2601
Fax No. (414) 286-8550

FAX COVER SHEET

PLEASE DELIVER THE FOLLOWING PAGES TO:

Jeff Lehmann

THESE PAGES ARE BEING TRANSMITTED FROM:

Bettye - City Attorney Claims Dept.

TOTAL NUMBER OF PAGES INCLUDING COVER SHEET: 2

DATE: 07/15/03 TIME: _____

COMMENTS: The Denial Letter is what you have to file an appeal for. Please send Appeal to City Clerk's office.

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT:

FAX OPERATOR: Bettye

PHONE NUMBER: 286-2657

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