



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

DATE: 10-9-19

RE: 8827 W. FLAGG AVE
(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 Dept. of Neighborhood Services
(Name of City Department)

Amount of the charges \$ 3537.95

Charge relative to: GARBAGE DUMPED ON OUR PROPERTY

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:

- 7/22/19 Excessive trash was dumped on our property located at 8827 West Flagg Ave.
- 7/23/19 We reported this incident at the police station district 4 located at 6929 W. Silver Spring Dr.
- 7/25/19 We contacted inspector Ewing from the sanitation department, she stated that the city would not pick up the trash. Consequently, we decided to find someone that would clean up our property from illegal dumping.
- 8/8/19 We entered into a contract with an individual to remove said trash. Then we called the city inspector to notify them that we had a contractor to have the trash removed. She told us that the city had a contractor scheduled to remove the trash, and we would have to pay the city, even if we cleaned it up on our own. Our contract was for \$300 to have the trash removed, and we just felt that if we had to pay the city an additional \$300 to remove said trash, it would be ridiculous, so we decided to let the city clean it up. Needless to say we didn't expect the city to charge us \$3537.95 to do the cleanup.
- 8/13/19 Needless to say the city didn't cleanup the trash until five days after we spoke to them and our contract stipulated that the trash would be removed, no later than 8/10/19, which was only two days after we told the city inspector that we had someone to remove the trash, that's the reason we are here to appeal this charge.

Betty Mutza

Signature

Gerald Mutza

Betty Mutza

Name (please print)

GERALD MUTZA

W206 57944 PASADENA DR

Mailing address and zip code

262-679-0200

Daytime phone number

MUSKEGO

ARAB form 10/1/2015

53150

Jerry Mutza
W. 206 S. 7944 Pasadena Dr.
Muskego WI 53150

Betty Mutza
262-679-0200
FAX 262-679-0201

October 7, 2019.

Administrative Review Appeals Board .
City Hall, Room 205
200 East Wells St.
Milwaukee, WI 53202
Tax Key #177072100

First of all we would like to thank the Board of Review for taking the time to go through the process of this matter with us. We have been in real estate investments for over 54 years and have never had a problem like this with the city of Milwaukee. You can do a review of all the buildings that we own in the city of Milwaukee and you will find that we have never had to go through this process in the past. I guess that anything can happen when you hit the age of 78. Through the years we have never had an illegal dumping problem at this property. In my humble opinion, I believe that the city of Milwaukee is in error, number one, by not apprehending people who do this that are illegal dumpers. The next error that the city of Milwaukee makes is that if they do apprehend someone for that criminal behavior, they will not get much more than a slap on the hand. If you would have caught them in the process of doing this illegal dumping, they would probably get a fine of \$100 or \$200 for committing the crime. We as property owners would still be responsible to remove such dumping materials at our expense. That way you get the \$200 for the fine and then you require the property owner who is innocent of the dumping that took place to remove said material.

On July 23, 2019 We called the police department to report the incident at approximately 6 PM. They said they would send someone out to investigate. We sat there for three hours waiting for an officer to come out and write up an incident report in the matter, and they never showed up. At about 9 PM that day, we personally reported this incident to the police department on 6929 W. Silver Spring. We were told that they would take care of the situation, but we never received a confirmation that they did anything about it.

Consequently, on July 25 we called Inspector Ewing at the sanitation department. She stated that the city would not pick up the trash. Consequently, we searched for someone to remove said trash, and on August 8 we got a signed contract to remove

access to the building, when we have to use such measures to keep the criminals out. We're hoping that you may have some ideas in regard to that. We are also enclosing a set of pictures to show what the property looks like with all the concrete barriers in front of it.

You would think that the city would be more interested in helping the property owners that pay their taxes on time, rather than fining us. You would also think that the city would be more diligent in preventing the problem rather than fining legitimate property owners.

You can do some research on all the properties that we own over the past 54 years and you won't find that we ever created a problem or been delinquent in paying our taxes. Only you can prevent this type of problem from happening again, by apprehending these human animals and fining them \$3500 or put them in jail until they pay their fine. We appreciate your time in working on this matter with us and hope that your final decision will be to change the \$3500 bill to \$300, we would pay it and this problem would be over with.

I guess only you can resolve this problem, and if not, we'll be more than happy to contact all the television stations in Milwaukee so that they can teach the community and property owners what they have to go through in regard to this type of problem.

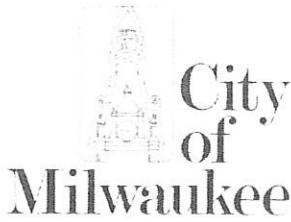
I hope we can get this matter resolved as rapidly as possible so that we don't have to go through the process of teaching all the property owners in the city of Milwaukee what they have to look forward to in regard to resolving this type of problem.

Thank you so much for meeting with us and trying to help resolve the problem.

Sincerely,



Betty and Jerry Mutza



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

Thomas Mishefske
Commissioner

September 11, 2019

GERALD MUTZA & BETTY HW
W206 S7944 PASADENA DR
MUSKEGO, WI 53150

Re: 8827 W FLAGG AV, MILWAUKEE, WI 532252817

GBGM-19-00831

TAXKEY #: 177072100

You were notified by the Department of Neighborhood Services to correct a garbage and litter nuisance code violation at 8827 W FLAGG AV. You failed to do so within the time prescribed in the order so the City corrected the violation.

The cost to correct the nuisance was \$3,537.95. This fee includes a 1.6% training and technology surcharge. As indicated in the original order, this charge if unpaid will be placed on the property tax bill. If you wish to pay this amount rather than to have it appear on your tax bill, you may do so before September 15, 2020 tax year. Any outstanding fees will automatically be assessed to your 2020 tax bill at this address or pay online at <http://milwaukee.gov/lms>:

Department of Neighborhood Services

Attn: Cashier

841 N. Broadway, Room 105

Milwaukee, WI 53202

Checks should be made payable to the City of Milwaukee for the amount listed above.
Please enclose a copy of this notice with your payment.

If you wish to formally appeal this charge 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 fee required when filing this 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.

If you feel the garbage or litter was not on your property or feel this letter was issued in error, please call 414-286-5771 to have this matter reviewed. A review does not extend the time to appeal.

9-24 paperwork will be sent out for appeal.

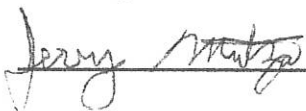
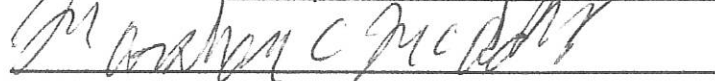
Recipients:

GERALD MUTZA & BETTY HW, W206 S7944 PASADENA DR, MUSKEGO, WI 53150

August 8, 2019

This is a contract to remove dumped items from 8827 West Flagg Ave. This contract is by and between Jerry Mutza as the owner of the property and Marshall McADORY at address 1639 N. 14 ST as the contractor to remove said dumped trash. The total cost to remove this trash is \$300. Jerry Mutza hereby pays Marshall \$100 in advance to have the property cleaned. The \$200 balance shall be paid when the cleanup is completed. Marshall hereby agrees to start cleanup, no later than the morning of Friday August 9, 2019. He also agrees to have the property completely cleaned up no later than Saturday, August 10th, 2019 at 3 PM. If he does not comply with this time schedule, he agrees to return the \$100 down payment that we gave him and will not receive the additional \$200 upon completion of said work on August 10, 2019 and he will not be paid, and hereby agrees to return the \$100 deposit that we gave him on August 8, 2019.

Jerry Mutza

Marshall McADORY



Department of Neighborhood Services
Enforcement Section
4001 S. 6th St.,
Milwaukee, WI 53221

GBGM-19-

INSPECTION REPORT AND ORDER TO CORRECT CONDITION

GERALD MUTZA & BETTY HW
W206 S7944 PASADENA DR
MUSKEGO WI 53150

Re: 8827 W FLAGG AV

Taxkey #: 177-0721-000

SOLID WASTE VIOLATION
IMPORTANT NOTICE - READ CAREFULLY

A recent inspection disclosed a nuisance which, if not corrected within the time specified, may be corrected by the City and the costs (including those of the City) will be charged as a tax lien against the property. A copy of this order will be mailed for the first offense in a one-year period. If you have circumstances that may warrant an extension, please call the number listed below. You may appeal the charge assessed against your property to the Administrative Review Appeals Board by contacting the Office of the City Clerk at 200 E. Wells St., Room 205, Milwaukee, WI, 53202 within 30 days of the assessment.

You are directed to remove all solid waste, garbage and debris which violate the Milwaukee Code of Ordinances (Chapter 79). Do not simply restack items and assume the city will remove them; the condition of the property is **your responsibility**. **You have 24 hours** after the date of this posting to completely clean the property and inform us that it has been cleaned or a contractor may be dispatched to clean it **at your cost**.

For information about this order please call (414) 286-2268.

Inspector: ADMIN

Posted: 08/06/2019

(x) Handwork () SKID

Mailed: 8/6/19

Call to learn how subscribing for an e-notify account (milwaukee.gov/e-notify) and providing your e-mail will help make you aware of orders against your property.

Large
Print



This material is available in alternative formats for individuals with disabilities upon request.
Please contact the City of Milwaukee ADA Coordinator at (414) 286-3475 or
ADACoordinator@milwaukee.gov.

OFFICIAL NOTICE OF VIOLATION

The City of Milwaukee - Department of Neighborhood Services

Receipt of A.R.A.B. Appeal Fee

Date:	10/9/19
Received Of:	Betty and Gerald Mutza
Property at:	8827 W. Flagg Ave.
Received By:	LME
Check # (If Applicable):	15400 \$25.00

CITY OF MILWAUKEE
2019 OCT -9 P 4:41
CITY CLERK'S OFFICE