



**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:** 1-27-20

**RE:** 5478 S. 9<sup>th</sup> St  
(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 Department of Neighborhood Services  
(Name of City Department)

Amount of the charges \$ 177.80

Charge relative to: Inspection of the above property on 8-14-20

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:

Please see attached appeal

Nijmeh Hamad  
Signature

Nijmeh Hamad  
Name (please print)  
1213 W. Grange Ave  
Milwaukee WI 53221  
Mailing address and zip code  
414-324-4926  
414-324-4916  
Daytime phone number

## Statement regarding Appeal

On January 14, 2020, Inspector Thomas Harding came to my apartment complex located at 5478 S. 9th street to do an inspection of the property. The week prior to the inspection, Inspector Harding called my son and said that he wanted to setup an appointment to review some violations to the above property and my other apartment building located at 800 West Grange avenue. My son informed me that Inspector Harding contacted him, and he explained to Inspector Harding that all previous violations were dealt with, and that inspector Harding has not been back to these two apartments for several months. My son asked Inspector Harding to mail out the violations he was coming out to inspect.

Inspector Harding mailed out:

Att 1 which is a violation report for 5478 S. 9th Street which had an inspection date of June 7, 2019.

Att 2 which is a violation report for 800 W. Grange Ave which had an inspection date of February 6, 2019.

I reviewed these violations, 1st there were a few listed violations that did not exist on my properties, which I addressed with Inspector Harding months ago when these letters were first mailed out. I believe Harding doesn't care for what I have to say and is just giving me a hard time with violations that don't exist. However, there are other violations that were valid, which I fixed back in 2019 when Harding first sent out the letters, the 800 West Grange letter back on February 6, 2019 and the 9th street Apartments back on June 7, 2019.

When Inspector Harding arrived, I explained to him that what he mailed out to me previously were things that were taken care of months ago and this is when the arguing started. I truly believe that there is an issue that Inspector Harding has with me that goes beyond his duties as an inspector. I have never had so many issues with an inspector in my life.

I had an issue with Inspector Harding previously at my 9th Street location where he told one of my tenants who was not paying rent and who I started the eviction process on to withhold parts of the rent because of alleged violations in her apartment. I don't believe that Inspector Harding should tell my tenants to withhold rent or not, especially when the damages were caused by the tenant and she refused to allow us in the apartment to fix the issues.

As I indicated above what Inspector Harding came to look at were issues that were taken care of months ago, and I contacted him previously numerous times that these repairs were taken care of. I left one voicemail after another indicating that these repairs were completed.

There was a period of time when I believe inspector Harding was out of the office, and I was being contacted by inspectors who were covering for him during his absence. They would contact me about orders that were put in by Inspector Harding months and months ago, indicating that their records showed that the issues were not taken care of. However, I would tell them that they were fixed, and messages for Inspector Harding were left explaining this. Then these inspectors would come out, and they would see the issues were fixed

On January 14, 2020 Inspector Harding did come to the above property, and I was there to show him that the issues were fixed a long time ago. This is when Inspector Harding got upset and said that he will be taking me to court. Inspector Harding left without even looking at the areas he claimed were not fixed. I went to talk to his supervisor the very next day and I was told that my property was a nuisance and one of the worst in the city. I have had this property for years, and before inspector Harding took over I had no issues with the previous inspector.

My appeal is based on the fact that the repairs were fixed, and that the inspector was coming back to discuss repairs that were made back in June 2019. Therefore, I should not be charged a reinspection fee in January of 2020 for something that was repaired back in June of 2019. There is no new list of violations that resulted from his inspection of January 2020, so how can there be a reinspection fee.

In addition, I have previously gone to the Lake Tower office for the Department of Neighborhood Services and asked to have a new inspector assigned to my properties based on the problems I have had with Inspector Harding. I was told I will not get a new inspector. I am hoping that this letter not only helps address the issues that I have with being charged a reinspection fee for violations fixed months ago, but I am also hoping that this letter will allow me to have a different inspector assigned to my properties.

Sincerely

Nijmeh Hamad

414-324-4916 or 414-324-4926.



Department of Neighborhood Services  
Enforcement Section  
841 N. Broadway  
Milwaukee, WI 53202

January 14, 2020  
Order #: ORD-19-10176

BARRIEH INVESTMENT, LLC  
NIJMEH HAMAD (RA)  
1213 W. GRANGE AVE  
MILWAUKEE, WI 53221

Re: 5478 S 9TH ST 8

When a property is reinspected and violations remain uncorrected, the Milwaukee Code of Ordinances provides for these reinspection fees:

First reinspection \$177.80  
Second reinspection \$355.60  
All subsequent reinspections \$355.60

There is no charge for the reinspection that shows compliance with all violations.

All reinspections which show noncompliance with the order will be charged at the above rate. These fees will be assessed against the property as a special charge and will appear on the tax bill for this property. On 01/14/2020, we imposed a \$177.80 reinspection fee, which includes a 1.6% training and technology surcharge. Any outstanding fees will automatically be assessed to your 2020 tax bill.

As you can see, the cost of noncompliance with the code can add up quickly. The Department would prefer to see you put the money into correcting the violations and not into paying reinspection fees. Please contact me as soon as the violations have been corrected. If I do not hear from you, we will continue to reinspect until the property has been brought into compliance with the code. Please do not put us in that situation.

If you wish to 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 as to be construed as an attempt to collect a debt during the pendency of your bankruptcy as other conditions may apply.

To discuss the violations, please contact the inspector listed below. Please contact your attorney with any legal questions as this office cannot give legal advice

Please call Inspector Thomas Harding at 414-286-3603 during the hours of 8:00 a.m. to 10:00 a.m. Monday through Friday for information on which violations remain uncorrected or if you have any questions.

Violations can also be viewed on our website at [www.milwaukee.gov/lms](http://www.milwaukee.gov/lms).

Refer to Court

Thomas Harding





**Department of Neighborhood Services**  
**Enforcement Section**  
**841 N. Broadway**  
**Milwaukee, WI 53202**

January 14, 2020  
Order #: ORD-19-10176

**Recipients**

BARRIEH INVESTMENT, LLC, NIJMEH HAMAD (RA), 1213 W. GRANGE AVE, MILWAUKEE WI 53221  
BARRIEH INVESTMENT, LLC, MOHAMAD M HAMMAD (RA), 5518 S. 13TH ST, MILWAUKEE WI 53221





**Department of Neighborhood Services  
Enforcement Section  
841 N. Broadway  
Milwaukee, WI 53202**

Inspection Date  
02/06/2019  
ORD-19-01383

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**INSPECTION REPORT AND ORDER TO CORRECT CONDITION**

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Department Copy

*Copy*

**Re: 800 W GRANGE AV 1**

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Taxkey #: 642-9956-123

A recent inspection of the premises at the above address revealed conditions that violate the Milwaukee Code of Ordinances. You are hereby ordered to correct each violation listed below by date indicated.

**Violation Location: NA**

**Correct By Date:**

- 1) 214-3 IFC 906.7 Fire extinguisher must be securely mounted in accordance with this code.

**Violation Location: NA**

**Correct By Date: 03/06/2019**

- 2) 214-27.4 The owner shall provide any maintenance necessary to make a smoke detector functional within 5 days of a written notice that the smoke detector is defective. Replace defective smoke detector. Every battery-operated smoke alarm shall be powered by 10-year or more non-removable batteries.

**Violation Location: NA**

**Correct By Date: 03/06/2019**

- 3) 214-23.3 Every battery-operated smoke alarm shall be tested by the owner not less than once every calendar year. The owner shall provide a copy of the test results to the commissioner's designee upon request. Test results shall include the date on which the testing was performed and the name, telephone number and property relationship of the person who performed the test. Testing shall be performed in accordance with the manufacturer's specifications. Provide test records for battery-operated smoke alarms. Every battery-operated smoke alarm shall be powered by 10-year or more non-removable batteries.

**Violation Location: NA**

**Correct By Date: 03/06/2019**

- 4) 214-3 IFC 907.20.5 The building owner shall be responsible to ensure that the fire and life safety systems are maintained in an operable condition at all times. A written record shall be maintained and shall be made available to the fire code official. TEST CARBON MONOXIDE ALARMS ACCORDING TO THE MANUFACTURERS RECOMMENDATIONS AND MAINTAIN A WRITTEN RECORD ON THE PREMISES.

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**OFFICIAL NOTICE OF VIOLATION**

*The City of Milwaukee - Department of Neighborhood Services*

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**Violation Location:** NA

**Correct By Date:** 03/06/2019

- 5) 275-81 Restore dwelling unit to clean and sanitary condition.  
Clean and vacuum all common areas and hallways.

**Violation Location:** NA

**Correct By Date:** 03/06/2019

- 6) 275-81.1 Restore the basement to a clean and sanitary condition.

**Violation Location:** NA

**Correct By Date:** 03/06/2019

- 7) 214-3 IFC 1028.4 Repair or replace defective exit signs.

**Violation Location:** NA

**Correct By Date:** 03/06/2019

- 8) 214-3 IFC 1028.3 Hallways must be kept free of all storage of material, trash, or any other obstruction that could hamper easy exiting in case of fire. Remove any obstruction immediately.

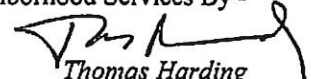
**Violation Location:** NA

**Correct By Date:** 03/08/2019

- 9) 214-3 IFC 605.3 Remove materials stored in work space area around electrical panel.

For any additional information, please phone Inspector **Thomas Harding** at 414-286-3603 or **THARDI@milwaukee.gov** between the hours of 8:00 a.m. to 10:00 a.m. Monday through Friday.  
Violations can also be viewed on our website at [www.milwaukee.gov/lms](http://www.milwaukee.gov/lms).

Per Commissioner of Neighborhood Services By -

  
Thomas Harding  
Inspector

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**Recipients:**

NIJEM HAMAD, 800 W. GRANGE AVE., MILWAUKEE, WI 53221-4426  
NIJEM HAMAD, 1213 W. GRANGE AVE., MILWAUKEE, WI 53221  
NIJEM M HAMAD TOD, 809 WEST MAPLEWOOD COURT AKA NIJMEH HAMMAD, MILWAUKEE, WI 53221

**FAILURE TO COMPLY**

Failure to correct the violations noted herein within the time set, or failure to comply with the order as modified by an appellant board and maintain compliance, may subject you to prosecution and to daily penalties of \$150.00 to \$10,000 in the manner provided in Section 200-19.

Also, any infraction of this order may result in a citation under Section 200-12-5 of the Milwaukee Code of Ordinances Volume II.

**RIGHT TO APPEAL**

You may file an appeal within 20 days. The Milwaukee Code of Ordinances requires that a written appeal of this order be received within 20 days of service of this order. If service of this order is made by mail, the appeal shall be received within 30 days or by the compliance date plus 5 days not to exceed 30 days. There is a fee for filing this appeal.

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**OFFICIAL NOTICE OF VIOLATION**

*The City of Milwaukee - Department of Neighborhood Services*

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**Violations (excluding zoning violations - Chapter 295) must be appealed to the Code Appeals Secretary, Municipal Building, 1st Floor, 841 N. Broadway, Milwaukee, Wisconsin 53202, phone 414-286-3679.**

Violations of Chapter 295 of the Milwaukee Code of Ordinances must be appealed to the Board of Zoning Appeals, 809 N. Broadway, 1st floor, Milwaukee, Wisconsin 53202, phone 414-286-2501. All appeal applications must include the required information outlined in sec. 295-311-6.

**If an appeal is pursued, it is your responsibility, as the recipient of this order, to file with the appropriate department. Please contact the inspector that issued this order if you are unclear on this issue. Filing an appeal with the incorrect department may render your appeal null and void.**

#### **TENANT RENT WITHHOLDING**

Uncorrected violations on properties may allow tenants to deposit their rent in an escrow account in the Department of Neighborhood Services under Section 200-22. The Commissioner may withdraw monies from such escrow accounts to make repairs to protect the health, safety and welfare of tenants.

#### **REINSPECTION FEES**

In accordance with Section 200-33-48, a fee may be charged for any reinspection, except no fee shall be charged for the final reinspection when compliance is recorded. **The fee is \$101.60 for the first reinspection, \$203.20 for the second and all subsequent reinspections. These fees include a 1.6% training and technology surcharge. Reinspection fees shall be a lien upon the real estate where the reinspections were made and shall be assessed and collected as a special tax.** If you wish to contest the assessment of a reinspection fee, contact the inspector, and, if necessary, the inspector's supervisor. If no agreement is reached, an appeal form will be mailed to you, which you can complete and send to the City's Administrative Review Appeals Board. Any question regarding the actual appeal process, please contact the Administrative Review Appeals Board at (414) 286-2221. Please be aware that there is a fee required when filing an appeal.

#### **TRADUCCION EN ESPAÑOL**

Si Ud, necesite ayuda para la traducción, de esta información, comuníquese con el 'Centro Hispano' Council for the Spanish Speaking, Inc., 614 W. National Avenue, Milwaukee, WI 53204. Teléfono: (414) 384-3700 o Community Advocates, 728 N. James Lovell St., Milwaukee WI, 53233, Teléfono: (414) 449-4777

#### **LUS HMOOB**

Yog koj xav tau kev pab txhais cov lus no, thov hu mus rau koomhaum Hmong/American Friendship Association, 3824 West Vliet Street, Milwaukee, WI 53208, xovtooj yog (414) 344-6575.

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#### **OFFICIAL NOTICE OF VIOLATION**

*The City of Milwaukee - Department of Neighborhood Services*

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Department of Neighborhood Services  
Enforcement Section  
841 N. Broadway  
Milwaukee, WI 53202

Inspection Date  
06/07/2019  
ORD-19-10176

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INSPECTION REPORT AND ORDER TO CORRECT CONDITION

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Department Copy

*Copy*

Re: 5478 S 9TH ST 8

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Taxkey #: 642-9956-121

A recent inspection of the premises at the above address revealed conditions that violate the Milwaukee Code of Ordinances. You are hereby ordered to correct each violation listed below by date indicated.

**Violation Location: NA**

**Correct By Date: 07/11/2019**

- 1 ) 214-3 IFC 901.6 Repair defective or inoperable fire alarm pull station.

**Violation Location: NA**

**Correct By Date: 07/11/2019**

- 2 ) 262-01 SPS 362.1200(2)a Installation Requirements. Listed and labeled carbon monoxide alarms or detectors shall be installed at specified locations:
1. In the basement of the building if the basement has a fuel-burning appliance.
  2. Within 15 feet of each sleeping area of a unit that has a fuel-burning appliance.
  3. Within 15 feet of each sleeping area of a unit that is immediately adjacent to a unit that has a fuel-burning appliance.
  4. In each room that has a fuel-burning appliance and that is not used as a sleeping area. A carbon monoxide detector shall be installed under this subdivision not more than 75 feet from the fuel-burning appliance.
  5. In each hallway leading from a unit that has a fuel-burning appliance, in a location that is within 75 feet from the unit.

**Violation Location: NA**

**Correct By Date: 07/11/2019**

- 3 ) 214-3 IFC 1011.1 Replace missing fire exit sign. Repair hanging exit signs to original condition.

**Violation Location: NA**

**Correct By Date: 07/11/2019**

- 4 ) 214-3 IFC 1011.4 Exit signs shall be illuminated at all times.

**Violation Location: NA**

**Correct By Date: 07/11/2019**

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OFFICIAL NOTICE OF VIOLATION

*The City of Milwaukee - Department of Neighborhood Services*

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5 ) 214-3 IFC 604.3 Maintain emergency lighting in proper working condition.

**Violation Location: NA**

**Correct By Date: 07/11/2019**

6 ) 214-27.2 Provide, install and properly maintain approved smoke detector(s) installed in a manner and location consistent with its listing and at least one detector in the basement and on each floor level except unfinished attic or storage areas and within 6 feet of each sleeping area. If a floor level contains 2 or more sleeping areas, each sleeping area shall be provided with a smoke detector. Every battery-operated smoke alarm shall be powered by 10-year or more non-removable batteries.

**Violation Location: NA**

**Correct By Date: 07/11/2019**

7 ) Access to furnace room required. 214-7.2.b-1 Inspection required. The owner of each building or place of employment in the city, including each residential property with 3 or more dwelling units, shall have a fire inspection of the building, structure or premises conducted on an annual basis. Pursuant to s. 101.14(2), Wis. Stats., and sub. 1-c-1, the Commissioner shall be responsible for conducting such annual fire inspections.

You are responsible to have a fire inspection of the interior of your building on an annual basis. The Commissioner of the Department of Neighborhood Services or his/her designee is responsible to conduct this fire inspection. Please contact the inspector listed below and schedule an appointment for this inspection within the time allotted.

**Violation Location: NA**

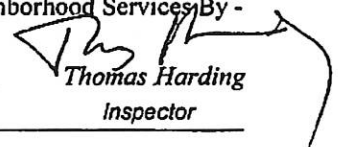
**Correct By Date: 07/11/2019**

8 ) 214-3 IFC 907.20.2, NFPA 72-10.4.3 Table 10.4.3 All monitored fire alarm systems are required to be tested on an annual basis. Provide a written report of all inspections, testing and maintenance to the code official. Testing shall be performed by qualified service personnel.

For any additional information, please phone Inspector Thomas Harding at 414-286-3603 or [THARDI@milwaukee.gov](mailto:THARDI@milwaukee.gov) between the hours of 8:00 a.m. to 10:00 a.m. Monday through Friday.

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Per Commissioner of Neighborhood Services By -

  
Thomas Harding  
Inspector

**Recipients:**

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BARRIEH INVESTMENT, LLC, MOHAMAD M HAMMAD (RA) 5518 S. 13TH ST, MILWAUKEE, WI 53221

**FAILURE TO COMPLY**

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Also, any infraction of this order may result in a citation under Section 200-12-5 of the Milwaukee Code of Ordinances Volume II.

**RIGHT TO APPEAL**

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**OFFICIAL NOTICE OF VIOLATION**

*The City of Milwaukee - Department of Neighborhood Services*

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#### **OFFICIAL NOTICE OF VIOLATION**

*The City of Milwaukee - Department of Neighborhood Services*

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Dist	Cens	Address	Condo	Lnd Use	YTD	Next Insp	Curr Insp	EntStat	Prev Date	EntStat
140	216	5478 S 9TH ST		8830	P	08/04/2017	08/04/2016	Y	05/20/2015	Y

Comment:

With 810 West Grange Avenue

Dwelling Units: 8

Condo units:

Maint Rating: 2

Call Ahead:

Alarm cert: 07/11/2014 Insp Time: 0.5 Insp: HARDING, THOMAS Taxkey: 642-9956-121

Prev Insp: 05/20/2015 MntRtg: 3 EntryStat: Y Time: 0.2 FINK, DENNIS

Past Insp: 05/30/2014 " 3 " Y " 0.2 FINK, DENNIS

Insp cycle: 1

Avge Time: 0.30

## Projecting Signs

#Total: YTD Status:  
 Inspection Date:  
 Insp By:  
 Curr District:  
 Next Inspection:

## Underground Vaults

#Total: YTD Status:  
 Inspection Date:  
 Insp By:  
 Curr District:  
 Next Inspection:

## Billboards

#Total: YTD Status:  
 Inspection Date:  
 Insp By:  
 Curr District: 0  
 Next Inspection:

## Fire

Sprinkler syst: N Fire supp syst: N  
 Smoke alarm: Y 1st aid st'pipe: N  
 Boiler: Y #Ext stairs:  
 Fire exting: 3 HushBut Req'd: Y  
 Fire esc: 0 " Status:  
 Structures: 2 Evac plan req'd: N  
 Occupancies: 1 " Reviewed:  
 Exempt bill: Emerg Powr Req'd: N  
 Fire Esc Cert: Gen/Bat/Comb:  
 Next Cert Due: " Reviewed:  
 Exempt from cert:

## Facade

Year Built: 1967  
 #Stories: 2  
 Override:  
 Insp Required: N  
 Init Assign Grp: 0  
 Latest Letr Sent:  
 Due Date:

## Covered Openings

#Total 0  
 YTD Status:  
 #Coal Holes: 0  
 #Area Grates: 0  
 #Trap Doors: 0  
 #Hatchways: 0  
 Insp Date:  
 section by:  
 District: 0  
 xt insp:

## MPROP Owners

BARRIEH INVESTMENT LLC 121  
 MI

*Called Helmy  
 to schedule Fire  
 262-638-7567  
 on all units*

## Most recent violation records in Code

Serial#	Insp Date	Record
12217951	08/04/16	L Letter
12217282	08/04/16	L Letter
12217281	08/04/16	L Letter

FIR Fire Inspection

us / Date / Dist		
atement	08/24/16	140
d	08/09/16	140
atement	09/09/16	140

## Features

Type	Cov Open'g	ID#	Description	Other
Fire		10017751	Fire record	

*Pull stations Defective  
 Carbon Monoxide Detector Defective  
 (2) Fix 2nd Floor Exit Signs  
 10 yr Smoke CO2 Missing Battery  
 Access to Fireman Room*

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

Date:	1/28/2020
Received Of:	Numeh Hamad
Property at:	5478 S. 9 <sup>th</sup> St.
Received By:	LME
Check # (If Applicable):	1410 \$25.00