



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

Milwaukee 53206

DATE: Jan 24, 2021

RE: 2650 N. 9th 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

Dept. of Neighborhood Services.
(Name of City Department)

Amount of the charges \$ Total \$ 1016.00

Charge relative to:

Vacant building Registration

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:

Edgar Robertson
Signature
EDGAR ROBERTSON
Name (please print)

2830 N. Sherman Blvd Milwaukee WI 53210
Mailing address and zip code
Daytime phone numbers
414 793-4406

E-Mail Address(s)

Vacant Building Program
4001 S. 6th Street
Milwaukee, WI 53221-1704

January 06, 2021

Record ID: VAC-16-3231533100-1-H

EDGER ROBERTSON
2830 N SHERMAN BLVD
MILWAUKEE, WI 53210

Re: 2650 N 9TH ST

The buildings at the above address were found to be vacant and subject to the Vacant Building Registration Program: SINGLE PRIMARY STRUCTURE. Because the building(s) remained vacant for a period of 6 months you are required to pay a vacant building inspection renewal fee of \$254.00 per building.

You are being charged \$762.00 additional because you had code violations at the time of the semi-annual vacant building registration renewal.

The total fee is \$1,016.00. This fee includes a 1.6% training and technology surcharge.

Please pay online at milwaukee.gov/lmspay

Checks should be made payable to City of Milwaukee and sent to:

Department of Neighborhood Services

Attn: Cashier

841 N. Broadway, Rm 105

Milwaukee, WI 53202

I wasn't the owner during that period. And the building has been occupied by someone since the purchase and is not vacant.

For your convenience, any balance remaining 30 days from the date of this letter will be added to your property tax bill. For questions regarding this fee, call 414-286-2268. More information on this program is available at <http://www.city.milwaukee.gov/dns/vbr>

If you wish to appeal these charges 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 \$25.00 fee required when filing the 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.

Detach bottom portion and return along with check

1/6/2021

Taxkey: 3231533100

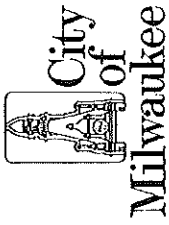
Re: 2650 N 9TH ST

Amount Due: 1,016.00

(Please write taxkey on check)

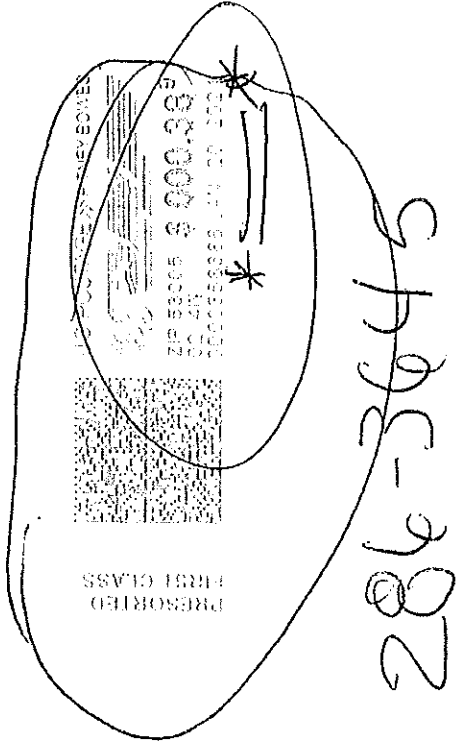
Vacant Building Inspection Payment Stub

VAC-16-3231533100-1-H

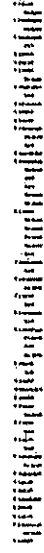


DNS-26LTWL
Department of Neighborhood Services
4001 S. 6th Street
Milwaukee, WI 53221-1704

u



AZE-SEE E3210



Page 1

I'm appealing the City's procedure because of the following reasons.

First I wasn't given proper notification of any existing problem with Vacant building registration violation.

I purchased said property 2650.19th Street in Milwaukee Wisconsin Sept 24, 2019. Through Attorney & title and closing services, LLC 12970 W. Bluemound Rd. Suite 103 Elm Grove, WI 53122 Phone (262) 432-6249

The tax charge 1,298.³⁴ of which 1016.⁰⁰ for DNS Miscellaneous charges which the title co. was responsible for, I paid the remaining balance and the Title Co paid what ever previous outstanding charges that were due.

I thus received a letter stating that I was being charged 762⁰⁰ additional because I had a code violation at the time of the semi-annual vacant building registration renewal.

This charge is for all property in the City of Milwaukee

page 2

Except Owner occupied 1- and 2 family properties and condos.

~~I~~ This property is owner occupied and therefore is not required to Register under this program.

I was never notified that in order to own a property in the city of Milwaukee you have to reside in it full time.

the property was and is currently not vacant. Its properly secured the grass is cut and maintained, the snow is shoveled in a timely manner and the Tax are being paid and are up to date.

I purchased the property for my son to occupy at a future date. I have some of my personal belongings in the property and it is not rented out to the public.

again I didn't have any previous violations as stated in the letter dated Jan 6, 2024

3 page

In-Cluded with this letter
is a copy of Settlement
Statement and a letter
Requesting an appeal hearing
regarding this violation charge.

Thank you
Sincerely

Earl Smith

1-21-2021

Re: 2650 N 9th St \$1016 on tax bill




Treasurer <CTREAS@milwaukee.gov>

To Paula Gustafson

Reply Reply All Forward ...

Thu 4/16/2020 7:06 AM

 You replied to this message on 4/16/2020 9:06 AM.

Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Morning -

The City Treasurer's Office has not received a payment for the \$1,016.00 addition to the 2019 tax bill.

If there is anything further we can assist with please do not hesitate to contact our office.

Thank you for your time and have a great day.

SL

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

Date:	2/1/21
Received Of:	Edgar Robertson
Property at:	2650 N. 9 th St.
Received By:	LME
Check # (If Applicable):	1533 \$25.00

- b. The minimum fee shall be \$60.
- c. There shall be a processing fee of \$8 for each permit issued.

64. VACANT BUILDING REGISTRATION CERTIFICATE. a. Each vacant building registration certificate shall be issued and shall be valid for 6 months from the date the certificate is issued.

b. There shall be no fee for the initial registration for each building.

c. There shall be a vacant building inspection renewal fee of \$250 for each building.

d. Any building in violation of any of the provisions of s. 200-51.7 at the time of any 6-month inspection shall be charged a vacant building inspection renewal fee of \$500.

e. Any building continuing to be in violation of any of the provisions of s. 200-51.7 at the time of any 6-month inspection shall be charged a vacant building inspection renewal fee in increasing increments of \$250 at each renewal to a maximum of \$1,000.

f. Vacant building inspection fees shall be charged against the real estate and shall be assessed and collected as a special charge. (See s. 200-51.7.)

g. A fee of \$50 shall be imposed if the department is unable to gain access to the structure for the inspection pursuant to s. 200-51.7-7 at the scheduled time.

64.5. VARIANCES. The fee to petition the commissioner for a variance as provided in s. 200-16.5 shall be \$100.

65. VARIANCES, STATE BUILDING CODE. a. The fee required to petition the commissioner for a variance shall be \$550.

b. There shall be a processing fee of \$8 for each petition issued.

66. WOOD STOVE OR PREFABRICATED FIREPLACES. a. The permit fee for the installation of wood stoves or prefabricated fireplaces shall be \$50.

b. There shall be a processing fee of \$8 for each permit issued.

67. ZONING, BOARD OF APPEALS.

Appeals and applications for variances and special use approvals shall be subject to the following fee schedule. Fees shall not be refunded after a notice of appeal is filed except by appeal to the board. The state of Wisconsin and its political subdivisions shall not be required to pay filing fees.

a. Notice of appeal and application for review fee: \$125. An applicant filing under this subsection shall pay a filing fee which shall be applied as a credit toward any action requested by an applicant under pars. b to m. The filing fee is not refundable.

b. Dimensional variances: \$350 per variance requested.

c. Use variances (per variance requested), based on lot area:

c-1. 0-10,000 square feet: \$350.

c-2. 10,001-20,000 square feet: \$650.

c-3. Over 20,000 square feet: \$950.

d. Special uses (per special use requested) based on lot area:

d-1. 0-10,000 square feet: \$300.

d-2. 10,001-20,000 square feet: \$400.

d-3. Over 20,000 square feet: \$500.

e. Name changes: \$300.

f. Billboards: \$650 per sign face.

g. On premise signs: roof signs, freestanding signs and projecting signs:

g-1. 0-50 square feet: \$250.

g-2. 51-100 square feet: \$350.

g-3. Over 100 square feet: \$450.

h. Transmission towers: \$950.

i. Application for an extension of time to comply with conditions imposed in a previous decision of the board: \$300.

j. Appeal on order of the department: \$275.

L. Request for a rehearing: \$275 plus all applicable fees.

m. All other requests: \$275.

68. ZONING APPEALS, ORIGINAL APPLICATION REVIEW. The fee for review of a board of zoning appeals original application by department staff, when such review is required, shall be \$50, except that no fee shall be required when the application pertains to a one- or 2-family dwelling.

200-51.7 Administration and Enforcement

b. Penalties. Any owner, former owner, or condominium association failing to comply with this section or providing false, misleading or fraudulent information on any application required under this section shall be subject to the penalties provided in s. 200-19. Any authorized contact person providing false, misleading or fraudulent information on any registration form required under this section shall also be subject to the penalties provided in s. 200-19.

10. APPEALS. Appeals of orders and notices under this section shall be made pursuant to s. 200-17.

200-51.7. Vacant Building Registration.

1. FINDINGS. The common council finds that a significant relationship exists between vacant buildings and increased calls for service for police services, higher incidence of fires, both accidental and intentional, and decline and disinvestment in neighborhoods. Vacant buildings become havens for vandalism, arson and drug crimes, representing not only a clear drain of valuable governmental resources, but also creating a significant reduction of the quality of life for the surrounding neighborhood. Registration, inspection and aggressive monitoring of vacant properties helps stabilize and improve impacted neighborhoods and helps in the development of code enforcement efforts as well as public safety. The common council further finds that a property owner or entity functioning as a trustee of an owner that does not register, permit inspection, insure, secure and maintain a vacant building places an undue and inappropriate burden on the taxpayers of the city and poses an increased risk to public safety. The common council therefore directs the chief of police, fire chief and the commissioner of neighborhood services, as provided in this section, to charge the owner or entity functioning as a trustee of an owner of such property the costs of any public safety services rendered to the property while non-compliant with this section.

2. PURPOSE. Registering of residential buildings or any other building, including, but not limited to, buildings designed for manufacturing, industrial, storage or commercial uses is essential for the proper enforcement of the city's building, fire and zoning code and to safeguard persons, property and general welfare. Residential condominium and rental units are excluded from this section provided the vacancy rate of the building they are situated in does not exceed 95%.

3. DEFINITIONS. In this section:

a. "Owner" means the person in whom is vested all or part of the legal title to the property or all or part of the beneficial ownership and right to present use and enjoyment of the premises.

b. "Secured" means a building that has a permanent door or window in each appropriate building opening that is secured to prevent unauthorized entry and has all its door and window components, including frames, jams, rails, stiles, muntins, mullions, panels, sashes, lights and panes intact and unbroken.

c. "Vacant" means a building which lacks habitual presence of human beings who have a legal right to be on the premises, or at which substantially all lawful business or construction operation or residential occupancy is at a level of at least 95% vacant. An owner occupied single family home or owner occupied 2-family dwelling residential property shall not be deemed vacant if it has been used as a residence by the owner for a period of at least 3 months within the previous 9 months and the owner intends to resume residing at the property.

d. "Violation" means that an order has been issued by the department and the conditions forming the basis for the order have not been fully abated.

e. "Unsecured" means any building that does not meet the definition of secured.

4. REGISTRATION REQUIRED.

a. The owner of any building that has become vacant shall within 30 days after the building becomes vacant or within 30 days after assuming ownership, whichever is later, file a registration statement and pay a registration fee as prescribed in s. 200-33-64 for each such building with the department on forms provided by the department.

b. In addition to other information, the registration statement shall include the name, street address and telephone number of a person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process, in any court proceeding or administrative enforcement proceeding, on behalf of the owner or owners in connection with the enforcement of this section. This person shall reside within the 7-county area as described in s. 200-51.5-2-j.

c. The owner shall be required to renew the registration for successive 6-month periods as long as the building remains vacant and shall pay a registration renewal fee as

prescribed in s. 200-33-64 for each registered building.

d. If, at the time of any 6-month inspection by the city, the building is in violation of any provision of this section, the owner shall pay a vacant building inspection renewal fee as provided in s. 200-33-64.

5. EXEMPTIONS. The following are exempt from the provisions of this section:

a. Property owned by governmental bodies and the housing authority.

b. Abandoned residential property pending foreclosure while subject to s. 200-22.5.

c. Property that is vacant as a result of a natural disaster and covered by emergency response requirements issued by the commissioner.

d. d-1. Property that is undergoing an active renovation or rehabilitation, provided a written plan for such renovation or rehabilitation has been submitted to and approved by the commissioner in accordance with subd. 2. The commissioner may revoke his or her approval of an exemption under this paragraph for violation of any condition or provision of application for such approval, for violation of any ordinance, law, lawful order or Wisconsin statute relating to the property, or if in the opinion of the commissioner the continuation of the exemption will be contrary to this section's purpose of safeguarding persons, property and general welfare.

d-2. An owner may request an exemption pursuant to subd. 1 by filing with the commissioner a written application and plan for the subject renovation or rehabilitation on a form furnished for such purpose. All plans submitted for approval shall include:

d-2-a. The legal description of the lot or parcel of land as obtained from official records.

d-2-b. The name and address of the owner of the premises.

d-2-c. The name and address of the person or contractor completing the work.

d-2-d. A detailed description of the renovation or rehabilitation.

d-2-e. The projected cost of the renovation or rehabilitation.

d-2-f. The time frame for completion of the renovation or rehabilitation.

e. A single family home or owner-occupied 2-family dwelling residential property that has been used as a residence by the owner for a period of at least 3 months within the previous 9 months and the owner intends to resume residing at the property.

f. Residential condominium and rental units in buildings whose vacancy rate does not exceed 95%.

g. Properties that are part of an estate that is in probate and are not subject to bankruptcy provided the personal representative or executor resides in the 7 county area as defined in 200-51.5-2-j.

6. OWNER RESPONSIBILITIES. The owner of any building that has become vacant shall:

a. Enclose and secure the building as provided in sub. 7.

b. Maintain the building in a secure and closed condition until the building is again occupied or demolished.

c. Acquire or otherwise maintain liability insurance in an amount not less than \$300,000 for buildings designed primarily for residential use and not less than \$1,000,000 for any other building, including, but not limited to, buildings designed for manufacturing, industrial, storage or commercial uses, covering any damage to any person or any property caused by any physical condition of or in the building. Evidence of this insurance shall be available at the request of the commissioner.

7. MINIMUM REQUIREMENTS FOR VACANT BUILDINGS. The owner of any vacant building for which registration is required by this section shall provide access to the city to conduct an exterior and interior inspection of the building to determine compliance with this section, following reasonable notice. If any owner of a vacant building does not provide access to the property at the scheduled time, the commissioner may apply for and obtain a special inspection warrant pursuant to s. 66.0119, Wis. Stats. In addition, failure to provide access to the property at the scheduled time shall subject the property owner to the fees specified in s. 200-33-64-g. In addition to any other applicable requirements, vacant buildings shall comply with the following requirements:

a. Lot Maintenance Standards. Lot maintenance standards include the lot the building stands on and the surrounding public way and shall meet the following:

a-1. All grass and weeds on the premises including abutting sidewalks, gutters and alleys shall be kept below 9 inches in height and all dead or broken trees, tree limbs or shrubbery shall be cut and removed from the premises.

From: Lewis, Norma C
Sent: Tuesday, April 7, 2020 1:39 PM
To: paula.gustafson@nightsight.com <paula.gustafson@nightsight.com>
Subject: 2650 N 9th St 5959866118

Hello again Paula,

Please excuse the confusion earlier. On 1/02/2019 we processed check # 31580 for payment of 2018 Vacant Building charges. These charges were not assessed to the 2018 property tax bill.

However, 2019 vacant building charges were assessed to the 2019 property tax bill. We are working with a fairly new program and it recognized the payment you made in early 2019 towards the 2018 Vacant Building fees (assessed 6/2018) as a payment for the 2019 fees, so "credited" the account.

The 2019 fees (invoiced 7/2019), which are for everything invoiced from 9/1/2018-8/31/2019 were assessed to your 2019 property tax bill.

I hope this helps to explain things. If you have any further questions, please let me know. In the meantime, I have returned the balance to \$0.

Thank you,

Norma Lewis

Administrative Services Supervisor

841 N. Broadway, Room 105, Milwaukee, WI 53202

P: (414) 286-2566

