

TRUSTEES

Cathy Ulrich
Daniel Unger
Matt Wahlert

FISCAL OFFICER

Jeffrey D. Baker

ADMINISTRATOR

Jeff Weckbach

Code Enforcement Review Board - April 17, 2024

1. **Opening of Meeting** 6 PM - Roll Call
Ms. Westfall called the meeting to order at 6 PM.
Roll Call: Ms. Miller – present, Ms. Baldwin – present, Ms. Westfall – present, Mr. Henson – present, Mr. Schaffer - present.
2. **Pledge of Allegiance**
Ms. Westfall led the pledge of allegiance.
3. **Meditation (Moment of Silence)**
4. **Approval of Minutes** Approval of minutes from the March 20th meeting.
Ms. Cabrera called for a motion to approve minutes for March 20th. Mr. Henson motioned to approve minutes for March 20th, Ms. Baldwin seconded.
Vote: Ms. Miller – yes, Ms. Baldwin – yes, Ms. Westfall – yes, Mr. Henson – yes, Mr. Schaffer – abstain.
5. **Citizens Address** 3 Minutes maximum per resident.
Mr. Byrnes swore in citizens who wish to speak at the citizens' address.
Ms. Westfall called for a motion to open citizens' address. Ms. Baldwin made a motion to open citizens' address, seconded by Mr. Henson.
Vote: Ms. Miller – yes, Ms. Baldwin – yes, Ms. Westfall – yes, Mr. Henson – yes, Mr. Schaffer – yes

Stephanie Wright asked why she was required to swear in to citizen's address. She claims that she has never had to do that in the past. Ms. Wright asked if the role call will be in alphabetical order? At the last meeting there was a case brought to the attention to the board, it stated that the Township cut and paid for the grass but it was not brought to the Auditor for abatement. She wanted to know if this has been resolved and/or what the process will be to resolve this issue. For the past eight years not everything that has been put on the agenda and abated does not make it to the Auditor's office to be assessed on property. She believes more attention to detail needs to be looked into. Also, regarding the CERB overview this evening, does a resident need to have a relationship to the case to speak or testify?

Ms. Baldwin read the requirement out loud. Members of the public may present testimony if relevant to any case during the citizen's address.

Mr. Henson made a motion to close citizens' address, seconded by Mr. Schaffer.

Vote: Ms. Miller – yes, Ms. Baldwin – yes, Ms. Westfall – yes, Mr. Henson – yes, Mr. Schaffer – yes.

6. **Old Business**
 - a. CERB-24-1 (6662 Daleview Rd)

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Staff presented vacant housing case to the Board at 6662 Daleview Rd.
Staff recommendation: Motion to declare that the property at 6662 Daleview Rd, Cincinnati, OH 45247 is, in fact, Vacant and should be viewed as such. We recommend the property be assessed \$500, all late fees, administrative fees, and this recommendation be forwarded to the Board of Trustees for formal adoption.

Mr. Henson motioned to accept staff's recommendation, seconded by Ms. Miller.

Vote: Ms. Miller – yes, Ms. Baldwin – yes, Ms. Westfall – yes, Mr. Henson – yes, Mr. Schaffer – yes.

b. CERB-24-6 (2318 Merriway Ln)

Staff presented the rental case to the Board at 2318 Merriway Ln.
Staff recommendation: Motion to declare that the property at 2318 Merriway Lane, Cincinnati, OH 45231 is, in fact, rental property and should be viewed as such. It is our opinion that while no money is being exchanged, the owner receives a service by having family occupy the property. We recommend if not registered within 14 days, then the property be assessed \$50, all late fees, administrative fees, and this recommendation be forwarded to the Board of Trustees for formal adoption.

Ms. Westfall asked if anyone would like to speak about the case.

Homeowner's husband spoke. The husband stated they were not aware that this property was considered a rental property. The owner's ex-husband passed away and his wife received the property. They hired a lawyer to transfer the property over in his wife's name. The county stated it does not need to be a rental unit. Family has always lived on this property. The owners pay the mortgage, tenants pay the utilities. The insurance company also stated they needed to have the property listed as a rental, which they don't understand. The signature being used as proof is not his wife's signature. The family only wants to continue using the property to house their family members. The homeowners insist that this unit is not a rental property and they have no intention of renting out the property at any time in the future.

Ms. Baldwin shared the definition of what Colerain Township considers a rental property. The definition states that if the homeowner does not reside in the property, it is automatically considered a rental property in the eyes of the township.

The homeowners asked what the next steps are to resolve this issue. Mr. Hopewell stated that it would be best to have the property registered within 14 days. The

homeowners asked what rental property obligations entail. Ms. Westfall stated they can complete the rental registration online. If they cannot do this online, Mr. Hopewell can assist them. To register a rental property, the price is \$50 per calendar year.

Mr. Henson recommended the homeowners receive a copy of the rental resolution. Mr. Hopewell will provide a copy.

Mr. Henson motioned to accept staff's recommendation, seconded by Mr. Schaffer.

Vote: Ms. Miller – yes, Ms. Baldwin – yes, Ms. Westfall – yes, Mr. Henson – yes, Mr. Schaffer – yes

7. New Business

- a. CERB-24-7 (11305 Gravenhurst Ln)
Staff presented the rental case to the Board at 11305 Gravenhurst Ln.
Staff recommendation: Motion to declare that the property at 11305 Gravenhurst Dr, Cincinnati, OH 45231 is, in fact, rental property and should be viewed as such. It is our opinion that while no money is being exchanged, the owner receives a service by having family occupy the property.

Mr. Hopewell stated he spoke with the property owner, they have family living in the home, and the property owner has decided to deed or sell the property to the family member that is living in the home. The property owner has asked for a little bit of time to resolve this issue. They have met with a lawyer to start this process. Hamilton County recording the sale can take a little longer to process than we would prefer. Mr. Hopewell recommended to table this case to the June 19th meeting and check with the property owner at that time to see if the process has been completed.

Mr. Schaffer asked Mr. Byrnes, considering a typical lawyer's back log, how long does Mr. Byrnes think this will take to complete? Mr. Byrnes has never done transfer of property work before. Ms. Westfall stated the board can always revisit the case in June and she believes 60 days is a good start.

Ms. Baldwin motioned to table discussion to table this discussion to the June 19th meeting, seconded by Ms. Miller.

Vote: Ms. Miller – yes, Ms. Baldwin – yes, Ms. Westfall – yes, Mr. Henson – yes, Mr. Schaffer – yes.

- b. CERB-24-8 (3191 2C Preserve Ln)

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Staff presented the rental case to the Board at 3191 2C Preserve Ln.
Staff recommendation: Motion to declare that the property at 3191 2C Preserve Ln, Cincinnati, OH 45239 is, in fact, rental property and should be viewed as such. It is our opinion that while no money is being exchanged, the owner receives a service by having family occupy the property. We recommend if not registered within 14 days, then the property be assessed \$50, all late fees, administrative fees, and this recommendation be forwarded to the Board of Trustees for formal adoption.

Ms. Westfall asked if anyone would like to speak about the case.

William R. Glines, managing partner, spoke. The property was originally a rental property when the property was purchased. Since the purchase, the property has been used to house family. The unit may be rented in the future, but is not considered a rental unit at this time. The managing partner recommended to update that resolution. It's not about the rental registration fee, it's the principle of the matter. Ms. Baldwin responded by stating they can go before the Board of Trustees to recommend the revision. The managing partner will register the property.

Stephanie Wright asked if all three of the properties owned by the homeowner are housing family members. The homeowner responded that it was just one. All properties are now registered with Colerain Township.

Mr. Schaffer commented on the resolution. It looks like the wording adopted was followed through from the wording used by Hamilton County. There are unintended consequences to the adoption of this wording, but this is something that should probably be addressed since three of the cases today were impacted by this resolution.

Ms. Baldwin motioned to accept staff's recommendation, seconded by Mr. Schaffer.

Vote: Ms. Miller – yes, Ms. Baldwin – yes, Ms. Westfall – yes, Mr. Henson – yes, Mr. Shafer – yes.

8. Adjournment

Mr. Schaffer made a motion to adjourn, Ms. Baldwin seconded.

Vote: Ms. Miller – yes, Ms. Baldwin – yes, Ms. Westfall – yes, Mr. Henson – yes, Mr. Shafer – yes.

Adjourned at 6:44 PM.