



Las Vegas

Agenda Item No.: 58.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF SEPTEMBER 1, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN KUHARSIN

☐ Consent ☒ Discussion

SUBJECT:

Hearing and possible action to consider the appeal regarding Thirty (30) Days Vacate Nuisance Notice and Order to Comply located at 1204 North Las Vegas Boulevard. PROPERTY OWNER: BRENDA S. GRIGGS (Wife of Barlow)

Fiscal Impact

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The subject property was determined to be a public nuisance as defined in Las Vegas Municipal Title 9, dealing with nuisances. A Thirty (30) Days Vacate Nuisance Notice and Order to Comply was mailed to the property owner to correct the public nuisance as defined in Las Vegas Municipal Code, Title 9.04.010 dealing with nuisances and Section 202 of the Uniform Housing Code; Las Vegas Municipal Code 9.04.010 (5) Zoning Violation; Housing Code 1001.2 Inadequate Sanitation 12 and 13; Housing Code Chapter 10 Substandard Buildings, Chapter 6 Structural Requirements and Chapter 9 Fire Protection, Section 1001.4 Nuisance, Section 1001.5 Hazardous Electrical, 1001.7 Hazardous Mechanical Equipment, Section 1001.8 Faulty Weather Protection, Section 1103 Vacate Order, Section 505.3 Kitchen, Section 701.2 Electrical Equipment; and Las Vegas Municipal Code, 16.04.010 International Residential Code R308 Glazing, R311 Means of Egress, R313 Smoke Alarms. A copy of the notice was also posted on the property. Today's hearing is to consider the Appeal to the Thirty (30) Days Vacate Nuisance Notice and Order to Comply filed by Brenda Griggs, owner and responsible party.

RECOMMENDATION:

That the City Council approve the Thirty (30) Days Vacate Nuisance Notice and Order to Comply.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Maps
3. Nuisance Notice and Order to Comply
4. Appeal Letter from Appellant
5. Notice of Appeal
6. Submitted at Meeting Correspondence from Brenda Griggs by Terry Bennett

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Motion made by RICKI Y. BARLOW to Deny the Appeal

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY: (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-OSCAR B. GOODMAN)

Minutes:

DEVIN SMITH, Manager of Neighborhood Response, read the Purpose, Background and Recommendation section and provided a list of Municipal Code violations for this property. MR. SMITH explained that the Health District has posted signs on eight of the 40 units that have bed bugs, and it is required that rooms above and below be vacated. There are no smoke detectors, leaking plumbing, door hardware in disrepair, some of the units have no windows or electric power, and numerous calls for service have been made to the Las Vegas Metropolitan Police Department (Metro). The property is currently licensed as a motel and is being rented as long-term apartments. The property is in foreclosure and several units have had interruption of electric power.

TERRY BENNETT appeared on behalf of the property owner, BRENDI GRIGGS, and submitted a letter from MS. GRIGGS stating her intention to repair the property and convert the property to an independent living facility.

COUNCILMAN BARLOW discussed with MR. SMITH that Code Enforcement made an on-site inspection after a tenant called to report the conditions of the property. The property was in total disrepair and after a full inspection a notice was issued to the property owner. As of today, the property owner has not attempted to address those issues. The property is currently zoned and licensed as a motel, which allows for a short-term stay.

COUNCILMAN BARLOW asked MR. BENNETT why MS. GRIGGS changed the motel use to an apartment use without the appropriate license from the City of Las Vegas. MR. BENNETT responded that not every room is being used on a monthly basis. He stated he would be renovating the property, and felt that a contractor's license is not required because the repairs are minimal. MR. SMITH pointed out that renovations would have to be done by a licensed contractor because of the major electrical and structural problems. The property needs to be vacated, and if the owner chooses not to renovate, the property would need to be secured. He cannot verify, but he believes that 24 units might be occupied. Additionally, MS. GRIGGS has not been paying room tax.

MR. BENNETT clarified that 18 units are occupied. MR. SMITH stated that since the property is licensed as a motel, nobody should be there longer than seven days. In response to COUNCILMAN BARLOW'S query about providing assistance for the displaced tenants, LISA MORRIS-HIBBLER, Deputy Director of Neighborhood Services, responded that the City cannot

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provide financial assistance but she would refer those tenants to other facilities.

COUNCILMAN BARLOW moved to have the property vacated and for staff to assist those individuals in the 18 units to receive assistance. He asked MR. BENNETT to inform his client that he does not want this decrepit property in his Ward or for her to collect rent from vulnerable individuals.

ANTHONY HODGES, Las Vegas resident, remarked that the property should be vacated, especially with the infestation of bed bugs.

ATTORNEY LANCE EARL, Holland and Hart, 3800 Howard Hughes Parkway, stated he has made attempts to contact MS. GRIGGS, and that her bankruptcy was recently dismissed because the property was grossly mismanaged. His client was unable to gain access to the property, but is willing to provide immediate security for the property to prevent further vandalism, assist those tenants who are leaving, and begin renovations. COUNCILMAN BARLOW appreciated ATTORNEY EARL's willingness to provide security, and he supports anyone willing to renovate the property. He asked that she work with all parties involved. He emphasized that the property is operating as an apartment building and needs the appropriate license or permits. He would be happy to work with ATTORNEY EARL, MR. BENNETT and MS. GRIGGS to bring the property into compliance.

