



**PUBLIC MINUTES
PROPERTY MAINTENANCE APPEALS BOARD**

**Wednesday, June 7, 2017, 3:30 p.m.
Committee Room B, City Hall**

- PRESENT:** Mr. Ian Oliver, Chair
Mr. Michael Brockbank, Vice-Chair
Mr. Donald Stiller, Member
- ABSENT:** Mr. Roy Fleming, Member
Mr. Dan Wiks, Member
- ALSO PRESENT:** Mr. Trent Lee, Municipal Inspector
Ms. Yvonne Raymer, Municipal Inspector
Mr. Luc Durand, Fire Marshal and Municipal Inspector
Secretary, Ms. Debby Sackmann

- 1. Property Maintenance Appeal No. 08-2017
Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003
Grover Holdings Ltd. and Angeline Thompson
210 Avenue E North – 17-ORC-156
(File No. PMAB. 4410-017-008)**

Introductions were held. The Chair commenced the hearing at 3:40 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

APPEARED FOR THE APPELLANT:

Mr. Jagdish Grover, Grover Holdings Ltd.
Ms. Angeline Thompson

APPEARED FOR THE RESPONDENT:

Mr. Trent Lee, Municipal Inspector, Saskatoon Fire Department
Mr. Luc Durand, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

GROUNDS AND ISSUES:

The Appellants, Grover Holdings Ltd. (property owner) and Angeline Thompson (tenant), launched separate appeals under Section 56(1) of *Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003* and Section 329 of *The Cities Act*, in connection with an Order to Remedy Contravention 17-ORC-156 for the property at 210 Avenue E North. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

An accumulation of material, plywood, lumber, shovels, tree branches, building material, automotive tire, aquarium, mini scaffold, clothes dryer, black plastic bags, bricks, windows, refrigerator, cardboard boxes, washing machine, blue tarp, and other junk and debris stored on the property creates an unsightly condition and provides a home for rodents and insects. This situation is also creating a nuisance and is affecting the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than June 1, 2017, remove the accumulation of plywood, lumber, shovels, tree branches, building material, automotive tire, aquarium, mini scaffold, clothes dryer, black plastic bags, bricks, windows, refrigerator, cardboard boxes, washing machine, blue tarp, and other junk and debris from the property.

Property Maintenance and Nuisance Abatement Bylaw 8175, Sections 3(h), 5, 9, 12 and 14.

2. CONTRAVENTION:

A junked vehicle is located on the property. A White Ford Taurus with SK licence plate 554 KFA attached VIN# is not visible, has been left in an abandoned condition. It appears that the vehicle has not been operated this season and it appears that the plates attached don't correspond with a Ford Taurus. This creates an unsightly condition and affects the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than June 1, 2017, contact and provide verification to the Inspector by operating the vehicle in the presence of the Inspector that the White Ford Taurus with SK licence plate 554 KFA is in an operable condition with valid registration plates attached -OR- remove the junked vehicle from the property -OR- place the junked vehicle inside a permitted structure.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(f), 3(h), 5, and 10.

3. CONTRAVENTION:

A junked vehicle is located on the property. A maroon Ford Windstar with SK licence plate 637 KIV attached VIN# 2FMDA56461BA29522, has been left in an abandoned condition and being used for storage. It appears that the plate attached was cancelled in February 2017. This creates an unsightly condition and affects the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than June 1, 2017, contact and provide verification to the Inspector by operating the vehicle in the presence of the Inspector that the maroon Ford Windstar with SK licence plate 637 KIV VIN# 2FMDA56461BA29522 is in an operable condition with valid registration plates attached -OR- remove the junked vehicle from the property -OR- place the junked vehicle inside a permitted structure.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(f), 3(h), 5, and 10.

4. CONTRAVENTION:

A junked vehicle is located on the property. A White Ford E350 van with SK licence plate 647 KNE attached VIN# 1FBJS31F4VHA70830, has been left in an abandoned condition and being used for storage. It has broken windows and flat tires. This creates an unsightly condition and affects the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than June 1st 2017, contact and provide verification to the Inspector by operating the vehicle in the presence of the Inspector that the White Ford E350 van with SK licence plate 647 KNE attached VIN# 1FBJS31F4VHA70830 is in an operable condition with valid registration plates attached -OR- remove the junked vehicle from the property -OR- place the junked vehicle inside a permitted structure.

Property Maintenance & Nuisance Abatement Bylaw 8175, Sections 3(f), 3(h), 5, and 10.

Note: The owner is responsible to comply with all other Acts and Regulations, building permits, electrical and plumbing permits.”

As set out in the Notice of Appeal to the Property Maintenance Appeals Board [Exhibit A.1(a)], the Appellant (property owner) outlined the reasons for appealing, as follows:

“I talked to the tenant for those 3 vehicles. They are not junk vehicle. She says she uses them as (illegible) put the permit on them when other is used. She need more time.”

As set out in the Notice of Appeal to the Property Maintenance Appeals Board [Exhibit A.1(b)], the Appellant (tenant) outlined the reasons for appealing, as follows:

“I disagree with the Contravention 1 & Contravention 2 & Contravention 3 & Contravention 4. I hereby request to appeal please write regarding further information or questions. Thank you.”

EXHIBITS:

- Exhibit A.1(a): Notice of Appeal from Grover Holdings Ltd. to the Property Maintenance Appeals Board, received in City Clerk's Office on May 29, 2017.
- Exhibit A.1(b): Notice of Appeal from Angeline Thompson to the Property Maintenance Appeals Board, received in City Clerk's Office on May 29, 2017.
- Exhibit B.1: Notice of Hearing dated May 30, 2017.
- Exhibit R.1: Order to Remedy Contravention 17-ORC-156 for the property at 210 Avenue E North, dated and received in City Clerk's Office on May 17, 2017.
- Exhibit R.2: Site photographs, submitted by the Municipal Inspector, dated May 15, 2017, received in the City Clerk's Office on May 30, 2017.
- Exhibit R.3: Site photographs, submitted by the Municipal Inspector at the hearing, dated June 7, 2017.

SUPPLEMENTARY NOTATIONS:

The Respondent, Mr. Trent Lee, Municipal Inspector; and the Appellants, Ms. Angeline Thompson (tenant) and Mr. Jagdish Grover (property owner), affirmed that any evidence given in this hearing would be the truth.

The Respondent and Appellants gave evidence and argument as outlined in the Record of Decision dated June 19, 2017.

The hearing concluded at 4:06 p.m.

RESOLVED: That for the reasons outlined in the Record of Decision dated June 19, 2017, the Board determined that the requirements of the Order to Remedy Contravention 17-ORC-156, dated May 17, 2017, with respect to the property at 210 Avenue E North be **UPHELD** and that the date for compliance for *Contravention 1* be **EXTENDED** to **July 4, 2017**, and that *Contraventions 2, 3, and 4* be **UPHELD**.

2. **Property Maintenance Appeal No. 09-2017**
Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003
Grover Holdings Ltd.
617, 619, 621 & 623 Duchess Street
(File No. PMAB. 4410-017-009)

Introductions were held. The Chair commenced the hearing at 4:14 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

APPEARED FOR THE APPELLANT:

Mr. Jagdish Grover, Grover Holdings Ltd.

APPEARED FOR THE RESPONDENT:

Mr. Trent Lee, Municipal Inspector, Saskatoon Fire Department
Mr. Luc Durand, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

GROUND AND ISSUES:

The Appellant, Grover Holdings Ltd., launched an appeal under Section 56(1) of *Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003* and Section 329 of *The Cities Act*, in connection with an Order to Remedy Contravention 17-ORC-157 for the property at 617, 619, 621 & 623 Duchess Street. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

There is an excessive accumulation of garbage bags, cardboard boxes, food waste, black bags, mattress, items under green tarp, pizza boxes, bicycles, clothing, DVD's, dresser, wooden cabinet, automotive tire, and other junk and garbage which is affecting the health and safety of the neighbourhood. A portion of this excessive accumulation was removed from the property on a previous order and returned shortly after the order was complied with.

YOU ARE HEREBY DIRECTED TO:

By no later than June 1, 2017, remove the excessive accumulation garbage bags, cardboard boxes, food waste, black bags, mattress, items under green tarp, pizza boxes, bicycles, clothing, DVD's, dresser, wooden cabinet, automotive tire, and other junk and garbage from the property in order to reduce the risk of harm or damage to persons and property.

Property Maintenance & Nuisance Abatement Bylaw 8175 Sections 3(h), 4, 9, 12, and 14.

Note: The owner is responsible to comply with all other Acts and Regulations, building permits, electrical and plumbing permits.”

As set out in the Notice of Appeal to the Property Maintenance Appeals Board (Exhibit A.1), the Appellant (property owner) outlined the reasons for appealing, as follows:

“The tenant at 621 Dutches is sick in the hospital. This order is for 621 Dutches. It is his stuff, not garbage. When he comes out, he will store it in a storage.”

EXHIBITS:

- Exhibit A.1: Notice of Appeal from Grover Holdings Ltd. to the Property Maintenance Appeals Board, received in City Clerk’s Office on May 29, 2017.
- Exhibit B.1: Notice of Hearing dated May 30, 2017.
- Exhibit R.1: Order to Remedy Contravention 17-ORC-157 for the property at 617, 619, 621 & 623 Duchess Street, dated and received in City Clerk’s Office on May 17, 2017.
- Exhibit R.2: Site photographs, submitted by the Municipal Inspector, dated May 15, 2017, received in the City Clerk’s Office on May 30, 2017.
- Exhibit R.3: Site photographs, submitted by the Municipal Inspector at the hearing, dated June 7, 2017.

SUPPLEMENTARY NOTATIONS:

The Respondent, Mr. Trent Lee, Municipal Inspector, and the Appellant, Mr. Jagdish Grover, affirmed that any evidence given in this hearing would be the truth.

The Respondent and Appellant gave evidence and argument as outlined in the Record of Decision dated June 19, 2017.

The hearing concluded at 4:25 p.m.

RESOLVED: That for the reasons outlined in the Record of Decision dated June 19, 2017, the Board determined that the requirements of the Order to Remedy Contravention 17-ORC-157, dated May 17, 2017, with respect to the property at 617, 619, 621 & 623 Duchess Street be **UPHELD** and **EXTENDED** to **June 30, 2017**.

- 3. **Property Maintenance Appeal No. 10-2017**
Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003
Thomas Abraha
515 Avenue J South
(File No. PMAB. 4410-017-010)

Introductions were held. The Chair commenced the hearing at 4:32 p.m. and briefly outlined the procedures that would be followed during the course of the hearing.

APPEARED FOR THE APPELLANT:

Mr. Thomas Abraha, absent with notification

APPEARED FOR THE RESPONDENT:

Ms. Yvonne Raymer, Municipal Inspector, Saskatoon Fire Department
Mr. Luc Durand, Fire Marshal and Municipal Inspector, Saskatoon Fire Department

GROUND AND ISSUES:

The Appellant, Thomas Abraha, launched an appeal under Section 56(1) of *Bylaw No. 8175 – The Property Maintenance & Nuisance Abatement Bylaw, 2003* and Section 329 of *The Cities Act*, in connection with an Order to Remedy Contravention 17-ORC-166 for the property at 515 Avenue J South. The Order to Remedy outlined the following:

“1. CONTRAVENTION:

There is an excessive accumulation of clothing, cardboard boxes, household kitchenware, suitcase, mattress, plastic case, scrap metal, scrap lumber, dismantled sections of fence lying in the grass and other junk and garbage which is affecting the health and safety of the neighbourhood. This situation affects the health and safety as well as the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than, June 6, 2017, remove the excessive accumulation of clothing, cardboard boxes, household kitchenware, suitcase, mattress, plastic case, scrap metal, scrap lumber, dismantled sections of fence lying in the grass and other junk and garbage from the property in order to reduce the risk of harm or damage to persons and property. This situation affects the amenity of the neighbourhood.

Property Maintenance & Nuisance Abatement Bylaw 8175 Sections 3(h), 4, 9, 12 and 14.

2. CONTRAVENTION:

There is a fence that is partially dismantled on the west side of the property along the back lane that is no longer erected in a safe manner. This situation affects the health and safety as well as the amenity of the neighbourhood.

YOU ARE HEREBY DIRECTED TO:

By no later than, June 6, 2017, remove the sections of fence that are no longer erected in a safe and sturdy manner in order to reduce the risk of harm or damage to persons and property. This situation affects the amenity of the neighbourhood.

Property Maintenance & Nuisance Abatement Bylaw 8175 Sections 3(h), 4, 12, 14 and 20.

Note: The owner is responsible to comply with all other Acts and Regulations, building permits, electrical and plumbing permits.”

As set out in the Notice of Appeal to the Property Maintenance Appeals Board (Exhibit A.1), the Appellant outlined the reasons for appealing, as follows:

“The is a fence that was partially damage by a vehicle. I’m going to re-use the lumber to save cost to repair the fence when I have enough money saved.”

EXHIBITS:

- Exhibit A.1: Notice of Appeal from Thomas Abraha to the Property Maintenance Appeals Board, received in City Clerk’s Office on May 30, 2017.
- Exhibit B.1: Notice of Hearing dated May 30, 2017.
- Exhibit R.1: Order to Remedy Contravention 17-ORC-166 for the property at 515 Avenue J South, dated and received in City Clerk’s Office on May 18, 2017.
- Exhibit R.2: Site photographs, submitted by the Municipal Inspector, dated May 17 & 18, 2017, received in the City Clerk’s Office on May 31, 2017.
- Exhibit R.3: Site photographs, submitted by the Municipal Inspector at the hearing, dated June 7, 2017.

SUPPLEMENTARY NOTATIONS:

The Respondent, Ms. Yvonne Raymer, Municipal Inspector, and Ms. Debby Sackmann, Board Secretary, affirmed that any evidence given in this hearing would be the truth.

The Respondent gave evidence and argument and the Board Secretary gave testimony on behalf of the Appellant, Thomas Abraha, as outlined in the Record of Decision dated June 19, 2017.

The hearing concluded at 4:37 p.m.

RESOLVED: That for the reasons outlined in the Record of Decision dated June 19, 2017, the Board determined that the requirements of the Order to Remedy Contravention 17-ORC-166, dated May 18, 2017, with respect to the property at 515 Avenue J South be **UPHELD** and **EXTENDED** to **JULY 4, 2017**.

4. ADOPTION OF MINUTES

Moved By: M. Brockbank

That the minutes of meeting held on May 17, 2017, be adopted.

CARRIED

The meeting adjourned at 4:52 p.m.

Mr. Ian Oliver, Chair

Ms. Debby Sackmann, Secretary