

**In the Circuit Court of Boone County
City of Columbia Municipal Division
600 East Broadway, Columbia, Missouri 65201
Court Phone No. 573-874-7230**

Complaint and Notice of Violation

I, Leigh Kottwitz, knowing that false statements on this form are punishable by law, state that I have probable cause to believe that the following information is true:

LIH Columbia Square Associates, LLC is the owner of property addressed per the Boone County Assessor as 1042 Claudell Lane in Columbia, Missouri that is not in compliance with 22-184 (a) of the City of Columbia Code of Ordinances because no current certificate of compliance has been issued to operate this property.

Please serve:

Alexander Kuehling
Registered agent for LIH Columbia Square Associates, LLC
7733 Forsyth Blvd., 4th Floor
St. Louis, MO 63105

Based on these facts, I ask the Prosecutor of the City of Columbia, Missouri, to pursue all appropriate legal actions on behalf of the City of Columbia.

Signed: Leigh Kottwitz
Name: Leigh Kottwitz
Title: Neighborhood Services Manager

8/2/2023
Date

Supporting documentation is submitted with this request. This includes:

- Inspection Reports
- Written Narrative
- Photographs
- Video and Audio Recordings
- Records of all communication with the person identified by this complaint, including letters, email and phone notes
- License, Permits or Certificates
- Applications for License, Permits or Certificates
- Account Records
- Building Diagrams

- Other - General Warranty Deed, Articles of Organization

City personnel should deliver this form and supporting documentation to Administrative Supervisor, City Prosecutor's Office, at 600 E. Broadway, 2nd Floor.

Timeline:

- On December 14, 2022, Leigh Kottwitz sent a letter to the owner of record per Boone County Assessor asking LIH Columbia Square Associates, LLC to get the property addressed at 1042 Claudell Lane in compliance with the City of Columbia Rental Unit Conservation Law.
- Since no application was received, Leigh Kottwitz sent an additional final notice on July 11, 2023 requesting application be made by July 25, 2023. No response was received.

Additional details:

- The residential complex at 1042 Claudell Lane has 26 buildings and 128 rental units.
- The City's Office of Neighborhood Services has received 10 tenant complaints from residents of this complex since January 1, 2023.

Unofficial Document

Instrument Type WD
Recording Fee \$42.00
No of Pages 7



Nora Dietzel
Nora Dietzel, Recorder of Deeds

Space Above Line Reserved For Recorder's Use

1. **Title of Document:** SPECIAL WARRANTY DEED
2. **Date of Document:** December 10, 2021
3. **Grantor(s):** SY COLUMBIA SQUARE INVESTORS, L.P.,
A Missouri limited partnership
Mailing Address: 7920 Ward Parkway
Kansas City, MO 64114
4. **Grantee(s):** LIH COLUMBIA SQUARE ASSOCIATES, LLC,
a Missouri limited liability company
Mailing Address: 1200 5th Avenue, Suite 1825
Seattle, Washington 98101
5. **Legal description:** See Exhibit A annexed to the document.
6. **Reference(s) to Book and Page(s):** N/A

Unofficial Document

SPECIAL WARRANTY DEED

This **SPECIAL WARRANTY DEED** is made and entered into as of this 10th day of December, 2021, by and between:

SY COLUMBIA SQUARE INVESTORS, L.P., a Missouri limited partnership, "**Grantor**", and

LIH COLUMBIA SQUARE ASSOCIATES, LLC, a Missouri limited liability company, with a mailing address of: 1200 5th Avenue, Suite 1825, Seattle, Washington 98101, "**Grantee**."

WITNESSETH, the Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, does by these presents **BARGAIN AND SELL, CONVEY AND CONFIRM** unto the Grantee, the following described real estate situated in the County of Boone, State of Missouri, to-wit:

See Exhibit A attached hereto and made a part hereof;

Subject only to those permitted exceptions set forth in Exhibit B attached hereto and made a part hereof;

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto Grantee and its heirs, successors and assigns forever. The Grantor hereby covenants that it and its successors and assigns shall and will **WARRANT AND DEFEND** the title unto the premises unto Grantee, and its successors and assigns, forever against the lawful claims of all persons claiming by, through or under Grantor but none other, excepting, however, the general taxes for the year 2021 and thereafter, and special taxes becoming a lien after the date of this deed.

[Remainder of page intentionally left blank; signature page to follow]

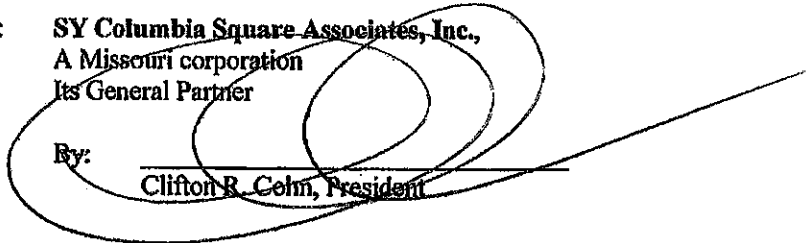
Unofficial Document

IN WITNESS WHEREOF, an authorized representative of the Grantor has executed this Special Warranty Deed as of the date first above written.

GRANTOR:

SY COLUMBIA SQUARE INVESTORS, L.P.,
A Missouri limited partnership

By: **SY Columbia Square Associates, Inc.,**
A Missouri corporation
Its General Partner

By: 
Clifton R. Cohn, President

STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

On this 7th day of December, 2021, before me, a Notary Public in and for said state, personally appeared Clifton R. Cohn, President of SY Columbia Square Associates, Inc., the general partner of SY Columbia Square Investors, L.P., a Missouri limited partnership, known to me to be the person who executed the within Special Warranty Deed in behalf of said limited partnership and acknowledged to me that he executed the same for the purposes therein stated. No oath or affirmation was administered to the signer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

My Commission Expires:

C. Michelle Moore
Notary Public

**C. MICHELLE MOORE
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES 10/28/2024
COMMISSION # 99474029**

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Exhibit A

Legal Description

Land Situated in the State of Missouri, County of Boone, described as follows:

Parcel 1:

Lot One (1) of WORLEY STREET SUBDIVISION as shown by plat recorded in Plat Book 10, Page 122, Boone County, Missouri Records.

Parcel 2:

Lots Twenty-seven (27) and Twenty-eight (28) of BLUEGRASS SUBDIVISION as shown by plat recorded in Plat Book 7, Page 62, Records of Boone County, Missouri.

Parcel 3:

Lots Thirty (30) and Twenty-Nine (29) of BLUEGRASS SUBDIVISION as shown on plat of said subdivision, recorded in Plat Book 7, Page 62, Boone County, Missouri Records.

Parcel 4:

Lot Two (2) of WORLEY STREET SUBDIVISION according to plat thereof recorded in Plat Book 10 Page 122, Records of Boone County, Missouri.

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Exhibit B

Permitted Exceptions

1. Building lines and easements as shown by the plat of Bluegrass Subdivision in the City of Columbia, Boone County, Missouri, the plat of which is recorded in Plat Book 7, Page 62, Records of Boone County, Missouri.
2. Covenants and restrictions as shown by an instrument recorded in Book 337, Page 561 and modified by instruments recorded in Book 383, Page 128, Book 428, Page 978, Book 614, Page 841 and in Book 737, Page 56, Records of Boone County, Missouri.
3. Easement for right-of-way granted to the City of Columbia, Missouri by instrument dated August 24, 1956 and recorded in Book 279, Page 337, Records of Boone County, Missouri.
4. Grant of easement for sewer purposes to the City of Columbia, Missouri by instrument dated September 28, 1962 and recorded in Book 322, Page 373, Records of Boone County, Missouri.
5. City of Columbia Ordinance No. 012560 recorded in Book 768, Page 862, Records of Boone County, Missouri.
6. Terms and provisions of an instrument entitled "Land Use Restriction Agreement" made by and between Missouri Housing Development Commission, et al, dated September 1, 2002 and recorded in Book 1994, Page 385, Records of Boone County, Missouri.
7. Terms and provisions of an instrument entitled "Low-Income Housing Tax Credit Land Use Restriction Agreement" dated May 6, 2004 and recorded in Book 2504, Page 86, Records of Boone County, Missouri.
8. Grant of easement made by SY Columbia Square Investors, L.P. to SY Claudell Lane Phase I Investors, L.P. dated September 30, 2004 and recorded in Book 2603, Page 89, Records of Boone County, Missouri.
9. Grant of easement made by SY Columbia Square Investors, L.P. to SY Claudell Lane Phase 2 Investors, L.P. dated August 15, 2006 and recorded in Book 3051, Page 16, Records of Boone County, Missouri.
10. Grant of easement for drainage purposes to the City of Columbia, Missouri by instrument dated January 21, 2014 and recorded in Book 4265, Page 136, Records of Boone County, Missouri.
11. Grant of easement for drainage purposes to the City of Columbia, Missouri by instrument dated January 21, 2014 and recorded in Book 4265, Page 136, Records of Boone County, Missouri.

Unofficial Document

12. BUILDING SET BACK LINES and EASEMENTS as shown by plat of said subdivision recorded in Plat Book 10, Page 122, Boone County, Missouri Records.
13. Declaration of Covenants, Executed by SY COLUMBIA SQUARE INVESTORS, L.P., A Missouri Limited Partnership, to THE MISSOURI HOUSING DEVELOPMENT COMMISSION, dated Sept 4, 2002 and recorded September 6, 2002 in Book 1994, page 322 of the Boone County Missouri Records.
14. Terms and provisions of an instrument entitled "Missouri Housing Development Commission Regulatory Agreement for Multifamily Housing Projects" dated September 4, 2002 and recorded in Book 1994, Page 343, Records of Boone County, Missouri.
15. Regulatory Agreement recorded in Book 396, Page 480, of the Boone County Missouri Records and Modified by Modification of HUD Regulatory Agreement Executed by SY COLUMBIA SQUARE INVESTORS, L.P., A Missouri Limited Partnership, to THE MISSOURI HOUSING DEVELOPMENT COMMISSION, dated Sept 4, 2002 and recorded September 6, 2002 in Book 1994, page 371, of the Boone County Missouri Records, 24. Terms and provisions of an instrument entitled "Second Modification to the Modification Agreement for HUD Regulatory Agreement" dated August 26, 2004 and recorded in Book 2583, Page 95, Records of Boone County, Missouri.
16. Land Use Restriction Agreement Executed by SY COLUMBIA SQUARE INVESTORS, L.P., A Missouri Limited Partnership, to THE MISSOURI HOUSING DEVELOPMENT COMMISSION, dated Sept 4, 2002 and recorded September 6, 2002 in Book 1994, Page 386 of the Boone County Missouri Records.
17. Easement for right-of-way granted to the City of Columbia, Missouri by instrument dated August 21, 1956 and recorded in Book 279, Page 319, Records of Boone County, Missouri.
18. The following matters as shown on the survey prepared by Derek Forbis of Central Counties Surveying, dated September 28, 2021:
 - a) Existing Fence Appears to Encroach on adjoining property to the south
 - b) Existing Fence at Northwest Corner appears to encroach by approximately 5' on the East.
13. Utility easement granted to the City of Columbia, Missouri by instrument dated February 27, 1960 and recorded in Book 297, Page 500, Records of Boone County, Missouri.
14. Terms and provisions of an instrument entitled "Assignment of Use Agreement" dated September 25, 1996 and recorded in Book 1297, Page 924, Records of Boone County, Missouri.
15. Deed of Trust made by Worley Apartments Company in favor of Commerce Mortgage Company dated October 14, 1971 and recorded in Book 400, Page 509, Records of Boone County, Missouri, to secure a loan in the original amount of \$2,027,400.00. (Said Deed

Unofficial Document

of Trust is subject to the Modification Agreement dated October 1, 1983 and recorded in Book 1248, Page 901, Records of Boone County, Missouri. Said Deed of Trust is subject to the Assignment dated September 25, 1996 and recorded in Book 1297, Page 903, Records of Boone County, Missouri. Said Deed of Trust is subject to the Assumption Agreement dated September 4, 2002 and recorded in Book 1994, Page 317, Records of Boone County, Missouri. Said Deed of Trust is subject to the Modification Agreement dated September 4, 2002 and recorded in Book 1994, Page 361, Records of Boone County, Missouri. Said Deed of Trust is subject to the Subordination Agreement dated September 4, 2002 and recorded in Book 1994, Page 381, Records of Boone County, Missouri, and as Modified by the Modification Agreement recorded December 1, 2014 in Liber 4377, Page 47.



State of Missouri
John R. Ashcroft Secretary of State
Corporations Division
PO Box 778 / 600 W. Main St., Rm. 322
Jefferson City, MO 65102

Articles of Organization

Reference Number SR335299

Receipt Number TR1509213

1. The name of the limited liability company is: LIH Columbia Square Associates, LLC

2. The purpose(s) for which the limited liability company is organized:

To transact any and all lawful business for which a limited liability company may be organized under the Missouri Limited Liability Company Act.

3. The name and address of the limited liability company's registered agent in Missouri is:

Name Alexander Kuehling

Address 7733 Forsyth Blvd., 4th Floor, Saint Louis, Missouri, 63105, United States

4. The address of its principal place of business is:

1200 5th Avenue, Suite 1825, Seattle, Washington, 98101, United States

5. The management of the limited liability company is vested in:

Manager

6. The effective date of this document is the date it is filed by the Secretary of State of Missouri unless a future date is otherwise indicated:

5/21/2021

7. The events, if any, on which the limited liability company is to dissolve or the number of years the limited liability company is to continue, which may be any number or perpetual:

Perpetual

8. The name(s) and street address(es) of each organizer:

Name Dmitry Gourkine

Address 1200 5th Avenue, Suite 1825, Seattle, Washington, 98101, United States

In Affirmation thereof, the facts stated above are true and correct:

The undersigned believes the statements presented in this filing are true and correct to the best of their knowledge and belief, they are subject to the penalties provided under section 575.040 RSMo. for making a false declaration under Section 575.060 RSMo

The undersigned agrees and represents that he/she is authorized to execute this document

Name Dmitry Gourkine

Title Organizer

Date 05/21/2021

STATE OF MISSOURI



John R. Ashcroft
Secretary of State

CERTIFICATE OF ORGANIZATION

WHEREAS,

LIH Columbia Square Associates, LLC


LC1789532

filed its Articles of Organization with this office on the 21st day of May, 2021, and that filing was found to conform to the Missouri Limited Liability Company Act.

NOW, THEREFORE, I, John R. Ashcroft, Secretary of State of the State of Missouri, do by virtue of the authority vested in me by law, do certify and declare that on 21st day of May, 2021, the above entity is a Limited Liability Company, organized in this state and entitled to any rights granted to Limited Liability Companies.

Effective Date: May 21, 2021

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, the 21st day of May, 2021.


Secretary of State





FINAL NOTICE

Community Development Department
Neighborhood Services
701 E. Broadway
Columbia, MO 65201

7/11/2023

LIH COLUMBIA SQUARE ASSOCIATES LLC
1200 5 TH AVE STE 1825
SEATTLE, WA 98101

RE: 1000 CLAUDELL LN

Dear LIH COLUMBIA SQUARE ASSOCIATES LLC,

Our office did not receive your application nor have you contacted our office concerning this matter. While we retain the authority to resolve this matter in court, we appreciate your voluntary cooperation in keeping Columbia's rental housing safe and in compliance. Please take the following steps no later than **July 25, 2023**.

1. Prepare enclosed application and sign before mailing or bringing to our office.
2. Have your fuel or solid burning, heating and ventilation system inspected, including furnace, water heaters, and fireplaces by a certified Master or Journeyman HVAC mechanic that is licensed by the City of Columbia. Have your mechanic fill out the middle section of the heating and ventilation certificate 22-186(e), that is enclosed, sign and date. If the HVAC system of the rental property is all electric, no inspection by an HVAC mechanic will be required. However the owner, operator or agent **MUST** sign the bottom section of the heating and ventilation certificate 22-186(e) and return certificate with application.
3. Return the application, HVAC certificate 22-186(e), along with appropriate fees to: Neighborhood Services, PO Box 6015, Columbia, MO 65205-6015, OR drop in the Neighborhood Services dropbox, located at 701 E. Broadway, 1st floor.

(Make **ALL** checks payable to the City of Columbia).

After your application is received by Neighborhood Services and processed, a building inspector will be scheduled for a property maintenance inspection of the interior and exterior of the property. If you have any questions or need more information, please contact the Office of Neighborhood Services 573.817.5050.

If you have already made application on your rental property, please disregard this notice.

Sincerely,

Office of Neighborhood Services
573.817.5050
neighborhood@como.gov

APPLICATION FOR CERTIFICATE OF COMPLIANCE
RENTAL UNIT CONSERVATION LAW

In accordance with Section 22.186 and 22.192 Ordinances of City of Columbia, Missouri - Updated 12/2014

New Application [] New Construction [] Transfer []
(C.O. less than 6 months) (Purchased within the last 15 days & inspected within 18 months)

Rental Property Address: _____ Date: _____

[] Application for new COC: Application fee for new applications, or new construction No. of Bldgs: ___ X \$60.00 = ___
Inspection Fee - new applications must pay both a building and per unit fee No. of Units: ___ X \$26.00 = ___
OR

[] Application to Transfer - properties must have passed inspection within the last
18 months to transfer & closing must have been within 15 days. No. of Bldgs: ___ X \$10.00 = ___
Total Fees _____

Owner: _____ Daytime phone: _____

Address: _____
(Street)

(City & State) _____ (Zip Code)

Operator: _____ Phone Number: _____

Agent: _____ Phone Number: _____

Address: _____
(Street) _____ (City & State) _____ (Zip code)

Primary contact should be with (check one): [] Owner [] Operator [] Agent

Primary Contact E-mail _____ Cell Phone _____

ALL APPLICATIONS MUST BE SIGNED AND ACCOMPANIED BY MECHANICAL CERTIFICATE AND CORRECT FEES

The undersigned hereby certifies that the information contained on the above application is true and correct to his/her best knowledge and belief, and the undersigned is either the owner of the property or has the authority to sign such application as the operator/agent on behalf of the owner.

Owner If Corporation: _____
President

Secretary

The owner/operator/agent may sign the following consent form to allow the city inspector to have access to the premises in the absence of the owner/operator/agent:

CONSENT TO INSPECTION

I hereby consent and authorize the Director of Community Development, or designee, to enter upon and inspect the premises for which application is being made for the purpose of inspecting said premises to determine whether or not such premises is in compliance with Chapters 6, 9 (article II), 20, 23, 24, 25 and 29 of the City Code of the City of Columbia, Missouri for issuance of a certificate of compliance the Rental Unit Conservation Law.

Owner/Operator/Agent

Fees:

NEW APPLICATION or RENEWAL WITH INSPECTION - Property entering the rental program for the first time or property with certificate due to expire (\$60.00 application fee per building PLUS \$26.00 inspection fee per dwelling unit or rooming unit.)

RENEWAL WITHOUT INSPECTION (\$43.00 application fee per building) Property which was inspected at last renewal date and found to have no complaints since last renewal AND for which a current certificate exists.

NEW CONSTRUCTION with CERTIFICATE OF OCCUPANCY LESS THAN 6 MONTHS - (\$60.00 application fee per building)

TRANSFER - Property purchased within the last fifteen (15) days (Sec. 22-192) for which certificate of compliance is current. To qualify for a transfer, the property must have passed a city rental inspection within the last 18 months. The Certificate cannot be renewed without inspection upon expiration. (\$10.00 per building application fee)

POSSIBLE ADDITIONAL FEES:

REINSPECTION FEE - \$43.00 re-inspection fee per unit or rooming unit must be paid if violations are noted as a result of the inspection required by this application.

A \$34.00 fee will be assessed when owner or owner's representative **fails to meet** with inspector at scheduled appointment time.

INSTRUCTIONS:

PLEASE PRINT OR TYPE
SUPPLY ALL INFORMATION REQUESTED ON FRONT OF APPLICATION.
(Forms not properly completed will be returned.)
PLEASE READ THE CONSENT TO INSPECTION PARAGRAPH

Note on zoning compliance: Chapter 29 of City Ordinance defines a family as well as the number of unrelated people allowed to live together in one unit. No more than four unrelated people are allowed to live together in any part of Columbia; other zoning districts are restricted to three unrelated people. By applying for a Certificate of Compliance you are agreeing to comply with this ordinance. Failure to comply may result in prosecution.

Checks Payable to: CITY OF COLUMBIA

Mail application to: DEPARTMENT OF COMMUNITY DEVELOPMENT
OFFICE OF NEIGHBORHOOD SERVICES
P O BOX 6015
COLUMBIA, MO 65205

Or bring to the 701 E. Broadway, and leave in the Neighborhood Services drop box on the 1st floor.

HAVE YOU: [1]COMPLETED YOUR APPLICATION?
[2]ENCLOSED YOUR MECHANICAL CERTIFICATE?
[3]ENCLOSED THE CORRECT FEE?
[4]VERIFIED THE ZONING FOR EACH PROPERTY LISTED ON APPLICATION?

IF YOU HAVE ANY QUESTIONS CONCERNING THIS APPLICATION,
PLEASE FEEL FREE TO CALL OUR OFFICE AT 817-5050, neighborhood@como.gov

**Heating and ventilation systems
certificate of inspection and approval**

Per City Ordinance 22-186 (E)

**CITY OF COLUMBIA, MISSOURI
Office of Neighborhood Services**

This is the water heating, space heating, furnace, fireplace and ventilation system inspection certificate for rental property. Complete the top portion, and either the gas or electric section below.

Rental Property Address: _____

Unit, Apt, or Rm: _____

Owner's Name: _____

Owner's Address: _____

FUEL FIRED APPLIANCES, HEATING AND VENTILATION SYSTEMS CERTIFICATION

This is to certify that I, or a qualified representative of the company, have inspected the water heating, space heating and ventilation systems in the above premises and the systems are functioning properly and safely. This certificate is issued in association with obtaining a certificate of compliance.

Mechanical Contractor Name _____ Inspection Date _____

Contractor Address _____ Phone # _____

Mechanic Name (printed) _____ License # _____

Mechanics Signature _____

ELECTRIC HEATING AND VENTILATION SYSTEM CERTIFICATION

Heating systems which do not use gas for heating water or living areas do not require an inspection by a mechanic. The owner or agent for the rental property may complete and sign the spaces below for electric heating systems.

This is to certify that the water heating, space heating and ventilation systems at the above address are all electric.

Rental Property Owner/Agent (Printed name)

Date _____

Rental Property Owner/ Agent (Signature)



OFFICE OF NEIGHBORHOOD SERVICES
CITY OF COLUMBIA, MISSOURI
P.O. BOX 6015
COLUMBIA, MO 65205-6015

CASE#: ORC-034612-2023

PROPERTY MAINTENANCE NOTICE OF VIOLATION

09/19/2023

LIH COLUMBIA SQUARE ASSOCIATES LLC
1200 5 TH AVE STE 1825
SEATTLE, WA 98101

Due to a tenant complaint, an inspection of the property 1020 CLAUDELL LN APT 102 (Parcel # 1621600030010001) was conducted on 08/09/2023. You are receiving this notice because Property Maintenance Violations were found and you are the Owner. Please begin to correct these violations immediately and have all repairs corrected by the compliance date listed.

CODE VIOLATION: IPMC [F] 704.6 Single- and multiple-station smoke alarm

Single- and multiple-station smoke alarms shall be installed in existing Group 1-1 and R occupancies in accordance with Sections 704.6.1 through 704.6.3

OBSERVATION: Two hard wired and two battery powered smoke detectors were found missing or damaged.

CORRECTIVE ACTION: Please replace all with functioning, newer than 10 years from manufacture date, smoke detectors. Please note that all hard-wired junctions must be utilized by using hard-wired interconnected smoke detectors when available. Also, please check to ensure that when one interconnected alarm is activated, all interconnected smoke detectors sound.

REINSPECTION DATE/DATE OF CORRECTION: **Tuesday, October 24, 2023**

CODE VIOLATION: IPMC 309.2 Pest Elimination - Owner

The owner of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.

OBSERVATION: Infestation of cockroaches and mice were found in the unit caused by holes in the ceiling to the attic from the upstairs bedrooms, high moisture levels, and access points along bottom floor in utility room and other walls.

CORRECTIVE ACTION: Please work with the tenant to eliminate the pest problem using professional extermination to thoroughly rid the home of the presence of insects and cockroaches. During this time, please repair or replace building materials needed to stop any access points to the crawlspace and attic. Insects were found deriving from these areas as infestation points. Next, take preventative measures to ensure infestation does not continue in the future by treating neighboring units and repairing the moisture level issues of the unit.

REINSPECTION DATE/DATE OF CORRECTION: **Tuesday, October 24, 2023**



OFFICE OF NEIGHBORHOOD SERVICES
CITY OF COLUMBIA, MISSOURI
P.O. BOX 6015
COLUMBIA, MO 65205-6015

CASE#: ORC-034612-2023

PROPERTY MAINTENANCE NOTICE OF VIOLATION

CODE VIOLATION: IPMC 305.1 Interior Structure - General

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure that they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

- OBSERVATION:**
1. Several gaps and breaks were found in the unit's walls and ceilings allowing heat, moisture, and insects to enter unit. Areas needing repair are; Both upstairs bedroom ceilings, Utility room, Closet under, Closet under staircase on first floor, and Upstairs bathroom.
 2. In the utility room, suspect mold and rot were found affecting the flooring and interior wall boarding the living room from the utility room. High levels of moisture have caused warping in the structural components and enhanced infestation of pests.

- CORRECTIVE ACTION:**
1. Please repair or replace drywall where holes, gaps, or breaks are found. Also, seal off any access points from the crawlspace and attic that are found using caulking, foam, or other sealing barriers.
 2. Please remove and replace all building materials that have rot or suspect mold infiltrating them in the utility room and interior wall that borders utility room and living room. Also, repair or replace flooring in the utility room to good condition, free from rot and decay, while ensuring gaps and breaks are sealed.

REINSPECTION DATE/DATE OF CORRECTION: **Tuesday, October 24, 2023**

CODE VIOLATION: IPMC 604.3 Electrical system hazards

Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

OBSERVATION: In the laundry room, a light fixture on the wall was found down and hanging from the electrical wires.

CORRECTIVE ACTION: Please secure the light fixture on the wall and ensure all wiring is connected correctly.

REINSPECTION DATE/DATE OF CORRECTION: **Tuesday, October 24, 2023**



OFFICE OF NEIGHBORHOOD SERVICES
CITY OF COLUMBIA, MISSOURI
P.O. BOX 6015
COLUMBIA, MO 65205-6015

CASE#: ORC-034612-2023

PROPERTY MAINTENANCE NOTICE OF VIOLATION

CODE VIOLATION: IPMC 603.1 Mechanical equipment and appliances

Mechanical equipment, appliances, fireplaces, solid fuel burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

OBSERVATION:

1. Hot water heater was found sitting in stagnate water for such a length of time that rust and corrosion can be seen at the bottom of the tank, possibly weakening the pressurized inner wall.
2. Apartment's central air AC unit was found not able to function. Temporary AC window unit used in downstairs kitchen and upstairs bedroom.

CORRECTIVE ACTION:

1. Please repair or replace this hot water heater so that no rust or corrosion exists on the tank and will still be able to withstand the high water pressure without incident or injury.
2. Please repair or replace central AC unit to good working condition and ensure it is functioning as is intended by manufacturer.

REINSPECTION DATE/DATE OF CORRECTION: Tuesday, October 24, 2023

Right to appeal: Section 6-17 113.2 of the City of Columbia Code of Ordinances allows for appeals of decisions of the code official or fire marshal to the Building Construction Codes Commission. Appeals can be filed at the Community Development Service Center on the third floor of City Hall.

Should you have any questions about this violation, please contact me at the City's Office of Neighborhood Services by calling 573-817-5050 or emailing neighborhood@como.gov. Failure to complete these violations by the deadline above may result in prosecution in Municipal Court.

Thank you for your attention to this matter.

Sincerely,

Adam Friesz
Code Enforcement Specialist
adam.friesz@como.gov

IPMC 102.5 Workmanship

Repairs, maintenance work, alterations or installations that are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workman like manner and installed in accordance with the manufacturer's instructions.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

**In the Circuit Court of Boone County
City of Columbia Municipal Division
600 East Broadway, Columbia, Missouri 65201
Court Phone No. 573-874-7230**

Code Violation Timeline

I, Adam Friesz, Code Enforcement Specialist, knowing that false statements on this form are punishable by law, state that I have probable cause to believe that the following information is true:

01/27/2023: Witnessed missing and damaged siding on multiple buildings in the Columbia Square complex. Mailed Notice of Violation.

03/02/2023: Drove by property to see all areas of missing siding were still present. Mailed Final Notice of Violation.

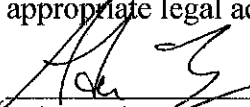
03/27/2023: Spoke with the maintenance supervisor, Jason, over the phone. He told me that the company had hired a siding contractor and that all the repairs would be completed by the deadline.

04/25/2023: Drove by property to see that all areas of missing siding were still present. Called Jason again to learn that the contractor was unable to start due to them not getting the first payment to start work.

05/25/2023: Drove by property to see, again, that missing siding had not been replaced. Also witnessed a missing downspout and several mattresses piling up and around the two dumpsters on the property. Spoke with Jason and he requested that I resend the latest notice. I updated the latest Final Notice of Violation and emailed a copy to the office and the regional manager.

This violation is punishable by section 6-72 of the code and section 106.4 of the IPMC committed. Other legal penalties prescribed by law may be imposed for failure to appear in court and dispose of the violation.

Based on these facts, I ask the Prosecutor of the City of Columbia, Missouri, to pursue all appropriate legal actions on behalf of the City of Columbia.



Adam Friesz,
Code Enforcement Specialist

5/25/2023
Date

**In the Circuit Court of Boone County
City of Columbia Municipal Division
600 East Broadway, Columbia, Missouri 65201
Court Phone No. 573-874-7230**

Code Violation Timeline

I, Adam Friesz, Code Enforcement Specialist, knowing that false statements on this form are punishable by law, state that I have probable cause to believe that the following information is true:

06/30/2021: Received complaint from tenant about multiple items being in disrepair in the apartment, including her AC. Visited apartment that same day, finding multiple items in disrepair including no central AC, area of exterior wall with major rotting, upstairs bathroom floor and trim with prolonged water damage, rot, and suspect mold. Sent Notice of Violation by mail and email to the owners and property manager.

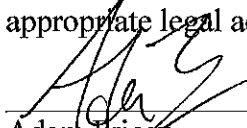
07/07/2023: Returned to apartment to find the AC had been repaired and was currently working. No other repairs completed.

07/21/2023: Completed another inspection and found no other repairs completed. AC still functioning. Maintenance supervisor stated that he knows about the issues but cannot find the time to get to them as he is the only one on the maintenance staff.

08/09/2023: Returned for another inspection, was joined by the maintenance supervisor. AC was working and in order but no other violations were corrected. He once again informed me that he has not been able to come up with the time to fix any of these issues. He also said that the owner is not giving him or management the resources to fix all the issues that are being reported by the tenants.

This violation is punishable by section 6-72 of the code and section 106.4 of the IPMC committed. Other legal penalties prescribed by law may be imposed for failure to appear in court and dispose of the violation.

Based on these facts, I ask the Prosecutor of the City of Columbia, Missouri, to pursue all appropriate legal actions on behalf of the City of Columbia.



Adam Friesz,
Code Enforcement Specialist

8/10/2023
Date

**In the Circuit Court of Boone County
City of Columbia Municipal Division
600 East Broadway, Columbia, Missouri 65201
Court Phone No. 573-874-7230**

Code Violation Timeline

I, Adam Friesz, Code Enforcement Specialist, knowing that false statements on this form are punishable by law, state that I have probable cause to believe that the following information is true:

07/18/2023: I received a complaint from the tenant at 1042 Claudell Ln. Apt. 104 about maintenance issues not being repaired for several months even though they had reported the issues multiple times to management. Visited unit to find several items in disrepair, insect breeding from excessive water, hot water heater damaged and potentially dangerous, and smoke detectors not being in good working condition or missing.

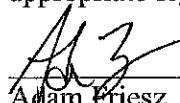
07/20/2023: Notice of Violation mailed and emailed to local and corporate addresses listed on the Boone County Assessor Website.

07/26/2023: Conducted second visit to apartment to inspect smoke detectors in unit. Smoke detectors were again found missing or not functioning correctly. Maintenance promised that this would be corrected before end of day.

08/25/2023: Conducted third visit to apartment. No other work completed. Smoke detectors were found chirping from low battery or malfunctioning. Spoke to new management about issues. They communicated that they would try their best to fix the issues as soon as resources were available from corporate office.

This violation is punishable by section 6-72 of the code and section 106.4 of the IPMC committed. Other legal penalties prescribed by law may be imposed for failure to appear in court and dispose of the violation.

Based on these facts, I ask the Prosecutor of the City of Columbia, Missouri, to pursue all appropriate legal actions on behalf of the City of Columbia.



Adam Friesz,
Code Enforcement Specialist

8/25/2023
Date