

1 JENEANE LANGENBACHER

2 like to invite any member of the audience who
3 wishes to speak in favor of the revocation of the
4 rental license to take the floor. Please limit
5 your comments to three minutes. This is for Pine
6 Tree.

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8 JENEANE LANGENBACHER,

9 a witness herein, having been first duly sworn,
10 was examined and testified as follows:

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12 MS. LANGENBACHER: They should be
13 held accountable. I'm a small fish in the sea,
14 and I am a landlord that follows the rules. I
15 might in the beginning say I'm not for something,
16 but I go with the flow, I go with the law. I'm up
17 here with my \$10 --

18 MR. MONTGOMERY: What is your name
19 and address? We need that for the record. Step
20 up to the mic, give us your full name and address.

21 MS. LANGENBACHER: I'm sorry. I'm
22 angry right now, and I shouldn't be angry. I can
23 usually keep my cool, but --

24 MR. MONTGOMERY: That's all right.

25 MS. LANGENBACHER: -- but when I'm

1 JENEANE LANGENBACHER

2 sitting here --

3 MR. MONTGOMERY: Name and address.

4 MS. LANGENBACHER: Jeneane
5 Langenbacher, 206 Catskill.

6 MR. MONTGOMERY: Spell your last
7 name.

8 MS. LANGENBACHER:

9 L-A-N-G-E-N-B-A-C-H-E-R. I have lived in
10 Brentwood since I have been ten years old. I love
11 Brentwood. I graduated, of course, from Brentwood
12 High School. I'm proud of this Borough. And this
13 makes me angry the fact that they are saying
14 17 days wasn't enough. Seventeen days was enough
15 if it would have been up to Code.

16 MR. MONTGOMERY: Address the
17 Chair. Do not address --

18 MS. LANGENBACHER: I'm addressing
19 him, and I shouldn't be. 17 days was enough. I
20 have two rentals, four units. That's all. And I
21 keep them perfect. I'm a perfectionist. I would
22 not have a dwelling that I couldn't live in. I
23 wouldn't expect somebody -- I'm not out to make a
24 dollar. I inherited the one from my parents and
25 they kept it perfect. Originally it was bought

1 JENEANE LANGENBACHER

2 for my grandparents.

3 I want you to know that I'm not in this
4 for the money, money. And the other one I lived
5 in for 22 years. I bought the rental up the
6 street from my parents' home. Now I'm in my
7 parents' home. I have two rentals. It pays me to
8 keep them. I'm retired now. But I do not charge
9 high, high rent, and if something goes wrong, they
10 call me, I'm there immediately with my handyman.
11 And do you know what happens, I have to take money
12 from my rent and pay constantly to keep them
13 perfect.

14 How much money do I make? By the time
15 I pay taxes, inspections, \$10 fee, keeping them
16 perfect, hardly anything. And these people with
17 these big places that don't probably live in
18 Brentwood, they are not a resident of Brentwood,
19 they are in it for the money. These people
20 sitting here --

21 There was one person I spoke to, and
22 they said they call and they call and nothing is
23 done. That makes me angry.

24 MR. MONTGOMERY: Okay. You're --

25 MS. LANGENBACHER: Oh, I'm turning

1 JENEANE LANGENBACHER

2 again. I'm a former schoolteacher. When you're a
3 schoolteacher, you want to talk to the whole
4 class.

5 MR. MONTGOMERY: Please don't
6 because we're going to try to preserve some order
7 here. All we want to hear is -- we have heard
8 your point of view now.

9 MS. LANGENBACHER: Why aren't they
10 kept up to code? There's the list of the codes
11 that Brentwood has, and you just follow the agenda
12 like a lesson plan. I got to have this done, GFC,
13 I got to have the electrician come and check it; I
14 have to have the plumbing right; and the furnaces,
15 every winter they are checked. I follow every
16 single thing. I hardly have any money from it.
17 These people, if you would see their bank account,
18 the owners, I mean --

19 MR. MONTGOMERY: That's not the
20 issue.

21 MS. LANGENBACHER: I know the
22 issue. They should have been kept up right from
23 the beginning. This is what I'm saying. Give
24 them the 17 days. They should have been perfect
25 where Mr. Costa could have gone around and checked

1 JENEANE LANGENBACHER

2 off his chart, okay, everything is in Code. In
3 17 days they should have been able to do it, 240
4 or 160 or whatever.

5 so if I have to follow the rules, these
6 people have to follow the rules too. This
7 shouldn't be -- what's the word I want -- it's not
8 favoritism, exemption from not doing what they
9 were supposed to do. I have to do it.

10 where are all the landlords tonight?
11 They should be behind me saying if they have to do
12 it. I'm sorry that I got upset, but it just makes
13 me angry. And I have ridden by them. All you
14 have to do is ride by the outside. They don't
15 look good. You don't have to go in. So Mr. Costa
16 knows and Eric knows my places are very nice.
17 Thank you very much.

18 MS. FOX: would anyone else like
19 to come up and speak? Just come up one at a time.
20 State your name and address for the record.

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22 JOY MAITLAND,

23 a witness herein, having been previously duly
24 sworn, was examined and testified as follows:

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1 JOY MAITLAND

2 MS. MAITLAND: My name is Joy
3 Maitland, and I live at 36 Pearl Drive. I just
4 want to say that I think what the city is doing to
5 try to make our apartments better is wonderful.
6 They are not up to code.

7 I have a nine-and-a-half-month-old son.
8 We have had several problems, and it's very hard
9 to get an answer from the office at all. You do
10 have to call several times. I have even had to
11 call and have the fire department come out and
12 assist me. I have had --

13 I came home from work once, and my
14 husband and my son were sleeping, and the whole
15 place was filled with, I don't know what you call
16 it, gas. The garages underneath aren't rented to
17 the people who live there, they are rented to
18 anybody, and they are running a garage out of it.

19 My nine-month-old son, he wasn't
20 nine months when this happened, this happened
21 several times where they had left gas in the
22 garage and it came up through the apartment. And
23 the landlord wouldn't answer, and I had to have
24 the fire department come for help.

25 It's very scary, and it's very sad to

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JOY MAITLAND

think that anybody can sit here and say that they are trying their hardest and to say that if they get a bill, they pay it. I know for a fact if they get a bill they don't pay it. I have papers since I have moved there where there has been water shutoff notices on my front door. It's ridiculous, and it's scary.

I just can't believe that anybody can come up here and say that they are getting the runaround in having time to fix it. You should keep your buildings up to code. I'm not asking for management, I'm asking for my child to be safe.

MS. FOX: Thank you. Anybody else? Please tell me your name and address for the record, please.

MS. HESZ: Anna, last name is Hesz, H-E-S-Z. I live at East Francis Avenue in Brentwood. I didn't expect to speak.

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ANNA HESZ,

a witness herein, having been first duly sworn, was examined and testified as follows:

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ANNA HESZ

MS. HESZ: The only thing I was here is because I got a letter in the mail. I guess it was in reference to Brentshire, so I didn't know before.

But in reference to what the gentleman over here said about having not been down there, when I very first moved to Brentwood in around 2009 maybe, I had rented a duplex at Willow Haven, which abuts Pine Tree. I wasn't familiar at all with the area, and after I moved in, went for a walk and walked down and I was, like, shocked.

I'll tell you what, Pine Tree is a cesspool. And if you don't think -- I have never been inside one of those units, but I can tell you from the outside I was so shocked at how -- and this had to be back in 2009. This didn't happen overnight.

The second thing I want to say is I pay my taxes. I pay a high tax to live in Brentwood. I'm a homeowner. You know, people who own these places need to know that the laws are for them. Nobody tells me what I need to do with my property: keep it clean, keep it clear of snow, pay your taxes. I do it. I'm a good resident of

1 ROSE HOPKINSON

2 Brentwood. These people are not good stewards of
3 the property, and it should be taken care of.
4 It's terrible. You should take a drive down there
5 and see what that place looks like. It's awful.

6 MS. FOX: State your name and
7 address for the record.

8 MS. HOPKINSON: I wasn't sworn in.

9 - - - - -

10 ROSE HOPKINSON,

11 a witness herein, having been first duly sworn,
12 was examined and testified as follows:

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14 MS. HOPKINSON: My name is Rose
15 Hopkinson. I live at 3122 Villawood Avenue,
16 Brentwood, 25 years, and I worked at Pennsylvania
17 American Water for 28 years. I read the meters at
18 those apartments, and they have been a hazard.
19 They look unsafe. The outside, I have seen rats.

20 So I'm closer to the other apartments
21 than I am to Pine Tree. It's a hazard. I can't
22 imagine what they look like inside. I have seen
23 the outside. But even inside, as far as basements
24 and the meters, it's a hazard, and it's unsafe,
25 even those garage doors are. So that's all I

1 JIM MCCALL

2 would like to say.

3 MS. FOX: Thank you. Anybody else
4 wish to come up and speak?

5 - - - - -

6 JIM MCCALL,

7 a witness herein, having been previously duly
8 sworn, was examined and testified as follows:

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10 MR. MCCALL: My name is McCall,
11 Jim McCall, 3114 Brentwood Avenue, Pittsburgh,
12 15227. I have been a resident directly across
13 these properties for 34 years. I have nothing
14 good to say about them. Everyone in here that's a
15 homeowner, a businessman has to be a good part of
16 this community. We have to be good because we pay
17 our taxes; we have to be good because we respect
18 the rights of others. Those that aren't aren't
19 good people, and that's reflected here tonight.

20 Do you want to talk about rats? I saw
21 rats. I called Allegheny County. I didn't call
22 Ralph, I called the county. How many years it
23 took to get those garages torn down? Years and
24 years because the owners don't care. I would love
25 to see the fire and casualty report from their

1 JIM MCCALL

2 insurance carrier. If you think Ralph's
3 recommendations are something, I got to believe
4 that their insurance carrier is ready to drop them
5 because I know State Farm would have dropped me if
6 they could. There's nothing here to say.

7 I see an increased presence of police
8 up there all the time now. There's been -- am I
9 right? Do we see a presence of police up in that
10 area?

11 MR. ZEPPUHAR: There are police.

12 MR. MCCALL: You asked have you
13 ever been in those apartments? I was in them,
14 aside from the one. What do they got plywood
15 around it? Is that building condemned?

16 MR. COSTA: Yes, it is. It's
17 boarded-up property.

18 MR. MCCALL: I know. Tear more
19 down. They are just letting things fall apart.

20 Now, let's talk about 17 days. They
21 had 120 days prior to that to do something, and
22 they didn't. So they have had more than enough
23 time, if they wanted to, to help these tenants.
24 That's what this is all about, these people that
25 live there need help. Unfortunately you got a

JIM MCCALL

1
2 landlord that just has found another way not to
3 help.

4 If my grass goes over eight inches, you
5 come down there and you're going to cut my grass
6 and send me a bill. Their grass, their weeds grow
7 eight foot and nothing happens. Why is that?
8 I'll tell you why, it's because the owners don't
9 care. The owners want to sit there and fight with
10 you tooth and nail over cutting the grass. You
11 have no respect for your tenants.

12 MR. MONTGOMERY: Sir, address the
13 Board.

14 MR. MCCALL: These people have no
15 respect for their tenants. There wouldn't be any
16 argument about these items that need corrected if
17 they cared about their people. They don't care.
18 I've said enough. This place has become a
19 nuisance, and you need to do something about it.

20 As far as I'm concerned, I wouldn't
21 renew it. I have had rental property since I was
22 21 years old. I have paid the taxes, have paid
23 the fines, did everything I had to do, but never
24 had to get someone to defend me because I didn't
25 want to do what needs to be done. I thank you.

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REBECCA O'CONNOR

MS. FOX: Thank you very much.

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REBECCA O'CONNOR,

a witness herein, having been previously duly sworn, was examined and testified as follows:

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MS. O'CONNOR: Hi. I am Rebecca O'Connor. You might know my name. I call you guys occasionally.

MS. FOX: Rebecca, can you state your address for the record.

MS. O'CONNOR: Sure. 2919 Leola Avenue, and I have called several times in the past weeks because we have major raccoon problems. We keep our property very, very clean. Unfortunately the apartments are right in front of me, and they do things. They throw their garbage right behind the apartment buildings. There are rats, raccoons. We watch them crawl up from down there. We have caught five in the past ten days right behind our yard. They are going after my dogs -- our dog, I'm sorry. Next thing it's going to be after my kid. That's when I'm probably going to sue somebody.

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REBECCA O'CONNOR

That's one of the problems. We also have a nuisance of some of the people living down there. Five years we lived there, had to call the cops probably I think four times, all for criminal acts. I was threatened to be shot from the people living directly across from me.

I tried at one point in time to get ahold of the property owner; couldn't find anybody. I talked to I guess the management office or something. I asked, do you guys do criminal background checks? Oh, of course we do. I said, the hell you do because this person that ultimately ended up dying in the apartment across from me after setting it on fire after his girlfriend threatened to kill me, he was all over the paper. So that was one.

We have another one living down there that I forget her name, but she was all over the news for taking money off of people. She would walk around. She collected from us. She was collecting for epilepsy. We were suckers. My husband suffers from it. We gave her money. She's another one that had a criminal background.

Then we also have another one that I

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JAMES EAGLE

had to call because the guy almost ran over my daughter speeding down Leola. He didn't have a license. so he's down there. Criminal backgrounds, three people right there I had to call.

It's some of the people they are renting to. I think that they need to be a little more picky with the people that are coming in. We pay our taxes, we keep our yard clean. It's not happening down there. So that's all I got to say.

MS. FOX: Thank you. Please state your name and the address.

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JAMES EAGLE,

a witness herein, having been previously duly sworn, was examined and testified as follows:

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MR. EAGLE: James Eagle, 3125 villawood Avenue. Bought a house about nine years ago there. Take my kids down the end of the road and let them ride their bikes. Ever since I have lived there, I can speak for the Dumpster, over the hillside is always overflowing with garbage on the ground. It is mounded. I

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JAMES EAGLE

don't know if they have garbage pickup or what the deal is.

A couple summers ago we had rats on our street as big as squirrels. I had one come up in my yard. I know some other people had problems in their yard with them. I can say a friend of mine, her daughter had rented the other apartments, not across from me but the other ones we're talking about, raccoon in the ductwork. She said she called the property, and they sent some guy with mothballs to get it out. I guess it eventually left, but she did tell me there was a raccoon.

Other than the garbage, and I know there's rats out there. And then the same thing, the abandoned building. I have always wondered is it just going to fall down or are they supposed to take it down or what? I'm sure there's problems in there too. That's all I have to say.

MS. FOX: Thank you very much.

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MELINDA YOKE,

a witness herein, having been previously duly sworn, was examined and testified as follows:

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MELINDA YOKE

MS. YOKE: Hi. I'm Melinda Yoke. I live at 66 Pearl Drive. I'm just asking one question. Just say if they lose their license permanently, what would happen to the residents at Pine Tree Gardens? Because a lot of us are students, like me and my husband. A lot of us don't have a lot of money to move other places. So those are things that I was just wondering.

MR. MONTGOMERY: Well, as I understand, the Borough is seeking to revoke their license to rent property and has issued an order to vacate those properties. That's what I understand the relief the Borough is seeking; is that right, Mr. Costa?

MR. COSTA: Correct.

MR. MONTGOMERY: The Borough is going to be seeking vacation of those properties if the Board approves this. Mr. Maloney?

MR. MALONEY: To clarify, the Borough has revoked that rental license. And it is not the Borough's goal to vacate the properties, but without a license, it is the landlord's responsibility to either do what is necessary to have a license in good standing or

1 LESTER SMITH

2 vacate the property. The Borough's hope is that
3 the landlord will do what's necessary to bring the
4 license into good standing so that folks like
5 yourself can remain in the place.

6 The Borough has no plans at this time
7 to seek eviction. The plan is to make sure that
8 the licenses are in place, and if they are not in
9 place, to pursue fines.

10 MS. YOKE: Thank you.

11 MS. FOX: Anybody else?

12 UNKNOWN FEMALE SPEAKER: On what
13 side?

14 MS. MILLER: I'm for living there.

15 MS. FOX: We're still on all in
16 favor of revoking the license.

17 - - - - -

18 LESTER SMITH,

19 a witness herein, having been previously duly
20 sworn, was examined and testified as follows:

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22 MR. SMITH: My name is Lester
23 Smith. I live at 65 Pearl Drive, and my concern
24 is the electrical and my bill. I'm at 65 Pearl
25 Drive. I have been complaining since January

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LESTER SMITH

about the electrical current running through the building and also the basement, about the wiring. I hear you speak of Mr. Costa in the area of familiarizing his name as an engineer architect. So one of my thoughts is electrical.

As far as the laboring access of Pine Gardens for in and outside the buildings, basically the concern is who is doing the work on the wiring? And I have a complaint that some officers had come down, along with the fire marshal and the fire department, and they took pictures of the electrical system from the basement, which I don't think it was a professional electrician. I think it was part of the air, of the imagination. I think it was, like, three, four weeks ago. You can probably look it up through my name and address and complaint through the officer. He has the pictures.

And that has been part of my complaining, about the current coming through my building, chasing me out of my bedroom into my living room, which I'm not able to sleep most of the time at night because of the current. I don't

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LESTER SMITH

know if it's caused by a router from the pole coming inside or just the plugs, the shortage of the switches, building up in the area up and down from the apartments.

My concern is the laboring in the area of what, I forget what they call it, 302. Am I safe with the laboring? Can I go to sleep and trust their engineering certification of, you know, excellence and ability? What happens --

THE COURT REPORTER: I didn't hear what you said, the last couple of words. What happens --

MR. SMITH: Their ability. Like an attack, you know? Is it shed purposely, or do they know what they are doing?

MS. FOX: Thank you very much. Would anyone else like to speak in favor of the revocation of the rental license?

MR. MEEHAN: Only on Pine Tree; correct? That's only on Pine Tree that you're discussing?

MR. MONTGOMERY: Yes.

(Discussion held off the record.)

MS. FOX: No, we're going to do

1 DENNIS MEEHAN

2 Brentshire as well. If anybody at this time would
3 like to come up and speak who is in favor of the
4 revocation of the rental licenses of Brentshire.

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6 DENNIS MEEHAN,

7 a witness herein, having been previously duly
8 sworn, was examined and testified as follows:

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10 MR. MEEHAN: Good evening. My
11 name is Dennis Meehan, M-E-E-H-A-N. I live at
12 3116 Villawood Avenue. Brentshire Village is the
13 apartment that sits directly behind me, and it's
14 the vacant one. It sits abutted to my property.

15 Over the past years, it's been vacant
16 now for I think eight years. If anybody has
17 actually looked at the record, the property was
18 purchased back in 2004. So, again, it's been
19 eight years vacant.

20 Over these eight years, police have
21 been called, kids breaking windows, breaking into
22 the building. Just last weekend three youths
23 climbing out of the hole in the back of the
24 building where the window used to be. Pot
25 smokers, beer cans, juveniles, young kids

1 DENNIS MEEHAN

2 urinating back there and also doing their other
3 duties back there also. It's been noisy.

4 You understand kids coming home from
5 school, hey, this building is vacant, let's sit
6 here and do it. Over those eight years, I mean,
7 we're talking about professional people supposed
8 to be owning these buildings. How can they let
9 the building get that bad? It's unbelievable.

10 It brings down the property value in
11 our neighborhood. If I go to sell my house, the
12 first thing they see is this, being that's in the
13 back of my house. I pay my taxes, I take care of
14 my lawn, I take care of my backyard. These people
15 need to start taking care of their property.
16 That's all I have to say. Thank you.

17 MS. FOX: Thank you so much. Does
18 anyone else have anything to say?

19 - - - - -

20 DAVE KUSHNER,

21 a witness herein, having been previously duly
22 sworn, was examined and testified as follows:

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24 MR. KUSHNER: I'll be brief. My
25 name is Dave Kushner. I live at 3030 Pyramid

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DAVE KUSHNER

Avenue across from Brentshire. I'm fortunate. I live in the house my wife grew up in, so she has been there for a long time. The bad part about this, as I see it, you know, there's a lot of good, hardworking folks that live in Brentshire. We don't want anything to happen to them, but that rental agreement has to go both ways. They pay their rent, the property gets taken care of.

I don't know how many years ago it's been since the garages have been torn down. That could be a nice area, some condos, some storage units. It's an eyesore. The trash is picked up on a semiregular basis. I know because my bedroom is right there. I can hear when the garbage trucks come. For a long time it wasn't picked up at all.

In fairness to Forward, the grass has been getting cut on a regular basis. I cannot speak for the inside of the apartments. I have not been in there in a long time. I used to have friends that lived down there. It's been at least ten years since I have been in there, so I'm not current on that.

Before we had this meeting, you should

1 DAVE KUSHNER

2 have taken the time to walk around not only Pine
3 Tree but Brentshire. It needs some work. And if
4 the folks that rent out those apartments are going
5 to hold up their end of the bargain, Forward has
6 to hold up their end. I don't know if it's old
7 man Kapple. I don't know what the problem is.

8 But if you go on the county real estate
9 web site, they're delinquent in their Allegheny
10 County taxes for the last four years, including
11 this year. We all pay our taxes. Maybe they have
12 been paid, but they are highlighted in yellow, and
13 it doesn't make a disclaimer that they have been
14 paid.

15 It has to go both ways. The apartments
16 could be a very good source of income for the
17 Borough, good housing for the folks, and a source
18 of income for Forward, but if you just walk
19 around, Forward hasn't been doing their job and
20 taking care of the apartments.

21 MR. DONOVAN: If I may, and I
22 appreciate everyone's comments, but the Borough
23 hasn't put its testimony on about Brentshire, and
24 Mr. Maloney even admitted to me before the hearing
25 this evening the second inspection hasn't been

1 ELIZABETH GODFREY

2 done. We don't have an inspection report for
3 Brentshire Gardens, so it seems a little bit
4 premature to me to talk about the condition of the
5 property. There is no inspection report for
6 Brentshire, and the Borough hasn't discussed
7 Brentshire at all.

8 MS. FOX: well, in that regard,
9 I'm going to comment. It's a Public Hearing, and
10 we chose to have them speak on both, being that it
11 is the same owner.

12 Anyone else?

13 (No response.)

14 MS. FOX: I would like now to
15 invite anyone against the revocation of the rental
16 licenses to take the floor.

17 - - - - -

18 ELIZABETH GODFREY,

19 a witness herein, having been previously duly
20 sworn, was examined and testified as follows:

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22 MS. GODFREY: Thank you for giving
23 me this opportunity. My name is Elizabeth
24 Godfrey. I live at 160 Victoria Drive,
25 Apartment B. I have lived there for 15 years now.

ELIZABETH GODFREY

1
2 I'm a college graduate. Honestly I like the area.
3 I love the multiculturalness of the area.
4 Actually I think that's the coolest part.

5 It seems like any time that I have had
6 any issues I have called, and within 24 hours I
7 have someone there fixing whatever, little things
8 that have happened. Over 15 years anything
9 happens, like plumbing issues, as well as heating.

10 It just seems like in the past year we
11 have been focused on as, and I appreciate the fact
12 that you guys do take our safety into
13 consideration; however, coming home on a Friday
14 evening to get the one notice gets your attention
15 as a taxpayer. I mean, I pay my 1 percent tax.
16 It just seems unfair that you post that you will
17 be evicted within 30 days due to something that
18 you couldn't control.

19 So then you send out the notices
20 saying, okay, we're going to come and inspect your
21 apartment. I'm, like, okay, no problem. The
22 first time I think it was sometime in September.
23 Like I said, I am a business analyst. I'm able to
24 work at home when I need to. I sat at home, no
25 one knocked at my door. They did come the second

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ELIZABETH GODFREY

time because I noticed that the lower lock was locked. I usually keep the top one on lock.

Then the other time that they supposedly came through, again I worked from home to see if anybody was going to come through. I have two cats, so I don't want them to get out.

But it just feels like we're being, as renters we're being -- that it's more about you don't like us as renters than the property managers. I mean, we have as much to lose as they do at this point, yet we are not given any opportunity to rectify anything.

With that, again I do thank you for your time, and I do thank the officers and everything for keeping us safe. Like I said, thank you. You have a good day.

MS. FOX: Thank you. Anybody else?

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NANCY MILLER,

a witness herein, having been first duly sworn, was examined and testified as follows:

- - - - -

MS. MILLER: My name is Nancy

1 NANCY MILLER

2 Miller. I am at Pine Tree, 28 Pearl Drive,
3 Pittsburgh, 15227. I have been there since
4 February 2002. I love it there. It's a country
5 setting. I love the people. Everybody sitting in
6 my area there, they are all my friends. We have a
7 lot more that they could not make it. I'm
8 retired, I'm 65, as well as a lot of other ones
9 behind them.

10 We have made it our home. What we have
11 done is put gardens in. I mean, we were allowed
12 to do that, put the gardens in. We have
13 vegetable, we have whatever, flower gardens. We
14 make it beautiful. I have renovated my entire
15 apartment. When I moved in, I even cut down
16 14 trees. I had people do it for me because to
17 make it my home because I knew I would be staying.
18 Our balconies, we love the balconies. We cook out
19 together. It's just like a family place.

20 And we do love the police because they
21 do patrol, which is great. We actually look for
22 them all the time. But I love being there. I
23 would feel bad. Where do we go, all of us that
24 sat behind me? That's why we're here. Some of
25 them have been here 20 years, where I have been

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TOM ROACH

here 14 or 15. We just love it. We depend on each other. Whatever we need, they are there.

So I'm for it. Yes, every place needs cleaned up. It does. My place is an exception because I did it myself. I trust you will do the right thing because we are good tenants. That's all I want to say. I just hope we can remain here.

MS. FOX: Thank you very much.

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TOM ROACH,

a witness herein, having been first duly sworn, was examined and testified as follows:

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MR. ROACH: My name is Tom Roach, 22 Pearl. I'm just trying to gather everything that's been said. So from what I hear, it sounds like that if they pay their fee and go from there and fix it up, go in the right direction, that they can stay there. That's what I'm getting from what I'm hearing. It sounds like that's what needs to happen on Forward's part is they talk about paying tomorrow.

As far as the inspections, I don't

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TOM ROACH

understand all that, like, who is doing it and all that. But from what I hear, it sounds like it's okay, the Borough can okay a box; is that correct?

MR. COSTA: Correct. I'm allowed, but we choose not to.

MR. ROACH: You choose not.

MR. COSTA: Correct.

MR. ROACH: So I don't see why 204 units to go through and say, okay, you have 100 that are good, you're going to need to fix 100. You got 120 days, and that's it. If you can okay a box and you're going to have to okay it sooner or later, why don't you okay the ones that are good now, and what needs to be fixed, you got 120 days to fix them? It does need to be cleaned up. Nancy's place is immaculate. I'm her neighbor.

So if that's the Borough's stand, from what I heard from the attorney, they want us to stay. Forward needs to do what they need to do. It sounds like there's conflict there, but pay, go forward, do what they have to do, make it safe, and go from there. That's all I have to say.

MS. FOX: Thank you very much. On

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to Brentshire, Mr. Costa. Would you just explain previously why the revocation letter was sent out for Brentshire?

MR. COSTA: It was non-payment. That's the main issue here. The inspections aren't on the table tonight.

MS. FOX: Not for Brentshire, they are not?

MR. COSTA: It's the same thing.

MR. MONTGOMERY: When were the notices sent out to Forward with respect to Brentshire and --

MR. PECCON: March 6, 2015. They were sent out for both complexes.

MR. MONTGOMERY: How much is it for Brentshire?

MR. PECCON: It would be the \$10-per-unit fee, plus the \$150-per-unit license restoration fee. I believe Mr. Donovan said 163 units?

MR. DONOVAN: 163 for Brentshire.

MR. PECCON: It's that fee for 163. Again, just as for Pine Tree, a separate notification was mailed out for each unit since

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each individual unit has a license.

MS. FOX: Thank you for the clarification. Mr. Donovan, do you have anything to say?

MR. DONOVAN: First, I want to thank everybody for their comments, whether they were for or against, and for taking their night off. I'm sure you had important things to do.

I just want to go back to the February 11 letter that gave my client 17 days to make what Brentwood saw what required repairs, including concrete work, removing some steps.

MS. FOX: We're on Brentshire. We're going to stay on Brentshire.

MR. DONOVAN: Well, this is in rebuttal to the comments on Pine Tree. I'll be very brief.

MR. MONTGOMERY: Very brief, yes.

MR. DONOVAN: What was the temperature on February 11, and what was the likelihood of getting a carpenter to come drill bolts through the outside deck joists into the interior of the apartment, through the joists, through the block or brick wall, anchors on the

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inside of the house or apartment? It wasn't going to happen. February was the coldest month we have had in how long.

As far as Brentshire, as I have stated, to the best of our knowledge we have never received a bill for 163 units times \$10. If what it takes to get the license reinstated for both complexes is a \$10 fee, we can happily get a check up here tomorrow for Brentshire for 163 times \$10 and Pine Tree Gardens for 204 units times \$10.

But to say that no bill was sent and they have to pay \$150 per unit for the reinstatement, plus the \$10, I can tell you right now I'm pretty sure they are not going to do that. They would take that to Common Pleas Court.

MR. MONTGOMERY: Mr. Maloney, what do you have to say with respect to that last point about the failure to provide any notice that the sums were due and that they are unfairly being punished with the \$150 penalty?

MR. MALONEY: Thank you, solicitor. That was going to be my first point. I'll turn to Mr. Peccon who has handled those on behalf of the Borough. Mr. Peccon, were notices

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sent out for Brentshire reminding the owner of the requirement in the ordinances to pay those fees?

MR. PECCON: Yes, correct. I believe we did place that into the record, the notification. Again, those were mailed out. That is the form letter that was mailed to each landlord in the Borough. Included with that is also a copy of the rent registration form.

MR. MONTGOMERY: Mr. Peccon, can you make sure the court reporter has copies of those notices that we have referred to and entered into the record? You don't have to do it right now.

MR. MALONEY: We'll make sure the court reporter has a copy of those.

MR. DONOVAN: I would like to see it before it went into evidence.

MR. MONTGOMERY: Absolutely. When you make the copy, make sure Mr. Donovan gets a copy so you have a chance to look at it and respond to it.

MR. DONOVAN: I would like to have the opportunity to question Mr. Peccon about that.

MR. MONTGOMERY: Certainly. I

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2 think that's your right.

3 MR. MALONEY: I will also submit,
4 regardless of those notices, the Borough is under
5 no requirement to send those notices in the first
6 instance. It's every landlord's responsibility to
7 be aware of the law and to pay those fees without
8 notice. Regardless of whether the notice was
9 sent, although one was, it's the landlord's
10 responsibility to be aware of the law and to pay
11 those fees on time. That's all that I have.

12 MS. FOX: Thank you very much. Do
13 you want to get those notices so Mr. Donovan can
14 review them?

15 (Discussion held off the record.)

16 MR. MONTGOMERY: Mr. Donovan, do
17 you have questions about these notices?

18 MR. DONOVAN: Before we get to the
19 notices. I noticed that this was Rental Case
20 No. 1 and Rental Case No. 2, and that these fees
21 were due by March 1. So does anybody, Mr. Costa,
22 Mr. Peccon, know how many landlord units there are
23 in Brentwood?

24 MR. PECCON: Yes. Approximately
25 2,000, give or take probably about 50 at this

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point.

MR. DONOVAN: How many non-compliants are there?

MR. PECCON: Right now, discounting these properties in question, we actually are going through the citation process for the remaining folks who have not paid these fees, we're down to about 20 properties.

MR. DONOVAN: How many units?

MR. PECCON: Maybe around 30.

MR. DONOVAN: Out of the 2,000 rentals, 1,970 have complied on that matter?

MR. PECCON: Correct. We have very few at this point that are still remaining.

MR. DONOVAN: But no other cases have been filed by the Borough?

MR. PECCON: Well, this is an appeal filed by yourself. These remaining properties, they have received the revocation notices just as your client did. If they do not come up with the \$10 and the \$150, then we proceed with the citations.

MR. DONOVAN: How many of those 30 have reached the point where they have had their

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opportunity to appeal?

MR. PECCON: That's included in the revocation notice, just the same as it was here.

MR. DONOVAN: Did you issue a revocation notice of all 30 of the additional units?

MR. PECCON: Correct. The ones that have not paid at this point, I think we have a few folks that we might -- we just issued I believe the last ones out today, the last revocation notices. We have been doing that here throughout April trying to get those out.

Again, on that letter it's not the exact same letter that you guys have, but it does list that statutory opportunity to appeal, and it does inform them that they will be cited if they do not comply and tell them what to do to get into compliance.

MR. DONOVAN: So why isn't their letter the same as our letter?

MR. PECCON: Because yours are also for the inspections.

MR. DONOVAN: If I lived in

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the Borough required to hold someone's hand and tell them, hey, by the way, you didn't respond to your notice on something like that? I don't think so.

MR. DONOVAN: How many e-mails do you think you have had back and forth to my client?

MR. PECCON: I couldn't tell you with that.

MR. DONOVAN: Give me a ballpark.

MR. PECCON: Didn't have a ton of correspondence with that. We had a few in-person meetings. I don't recall just e-mails flying back and forth like that, if that's what you're saying.

MR. DONOVAN: How long did you wait before that \$10 fee was due before you filed the revocation on all the tenant doors?

MR. PECCON: This was mailed out March 6. That is when the revocation occurred.

MR. DONOVAN: Right. So you waited six days?

MR. PECCON: Correct.

MR. DONOVAN: How many other landlords did you wait six days before you posted

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the revocation notice?

MR. PECCON: The other ones were not until early April.

MR. DONOVAN: So why the difference? why isn't everybody that hasn't complied being treated differently?

MR. PECCON: The inspection process was also involved. Again, they were issued it just for the registration. There was not an ongoing inspection case. We actually do have a couple of others right now that are outstanding for inspection cases.

MR. DONOVAN: So how many revocation notices have you posted on tenant doors other than Brentshire and Pine Tree?

MR. PECCON: You're going to have to be more specific. Inspections or failure to pay registration?

MR. DONOVAN: Does the revocation say that it was a failure to pay the \$10 registration?

MR. PECCON: Their notification does. The ones that were going out that we discussed, yeah.

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MR. DONOVAN: Does it say your landlord has failed to pay the \$10 registration?

MR. PECCON: That's what the notification is telling them, correct.

MR. DONOVAN: What our revocation said?

MR. PECCON: You have a copy of those we just entered into the record.

MR. DONOVAN: I'm asking you if it says that.

MR. PECCON: It does not state that.

MR. DONOVAN: It says that the landlord has failed to pay the \$10?

MR. PECCON: Let's pull the copy here. I'll read the text here to you.

MR. DONOVAN: Do you have a copy for me?

MR. PECCON: So let me read in here one of the items in this notification: In order to avoid this penalty, you must submit Rental Registration documentation to the Borough of Brentwood. The fee for each unit is \$10, which must be paid regardless of whether or not a unit

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is occupied at the time of the receipt of this notice.

MR. DONOVAN: Does it say that -- well, I'm asking what you posted on the tenant doors.

MR. PECCON: Again, what's posted, that's also something that we do to inform the tenants. It's not required by the ordinance. We do have those also in our case file here. Mr. Maloney, would you recommend that we gather those or not gather those?

MR. MALONEY: I don't know that we need to introduce them into evidence at this time, no.

MR. DONOVAN: So the letter is dated March 6; correct?

MR. PECCON: That's correct.

MR. DONOVAN: And the second paragraph says, if the rental registration is not received within 30 days, a citation will be filed. And then further on in the next paragraph it says, the fee for each unit is \$10. So does it say in here that the fee hasn't been paid?

MR. PECCON: It's saying that the

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MR. PECCON: Right. The registration fee is \$10, as was listed on the initial letter that went out, also listed on the Borough fee schedule, and the \$150 is the penalty according to our ordinance.

MR. DONOVAN: So on the revocation notices that are still -- some of them still haven't gone out; right?

MR. PECCON: We just put the last batch of them out I believe.

MR. DONOVAN: So why did you wait an extra month?

MR. PECCON: Frankly, it's time up here. Again, with these we're trying to get through these things in a reasonable manner with the time. Again, this is an inspection case, in addition to a failure to pay registration case.

MR. DONOVAN: You know from your own e-mail there's been a dispute as to the inspection process, and that you shortened the period from 120 days times 4 to 120 plus 17.

MR. PECCON: We gave 120 days. You can see the inspection occurred January 29, which is more than 120 days.

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MR. DONOVAN: It seems to me you have been inconsistent with your application of Brentwood law.

MR. MONTGOMERY: I think the Board understands Mr. Donovan's argument here. I think we understand the Borough's position, but, frankly somebody has got to go first. He's testified that they have chosen, fairly chose to do this property owner first, and then they have sent out other notices on a rolling basis.

MR. PECCON: Correct.

MR. DONOVAN: This notice, is this Exhibit 7, this document that you just gave to the court reporter?

MR. MONTGOMERY: Which one is that?

MR. DONOVAN: Are we up to 7? This is just a canned letter that is addressed to Brentwood Borough Landlord. Is this addressed to my client specifically?

(Pine Tree Exhibit No. 6 was marked for identification.)

MR. PECCON: They are a form letter, as I have already stated for the record.

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MR. DONOVAN: Can you establish that it was mailed to my client?

MR. PECCON: Again, it is not a requirement of the ordinance, but I did already testify the address that this was mailed out to.

MR. MONTGOMERY: Did you oversee the mailing of these?

MR. PECCON: Correct. I'm the one that did the mailing.

MR. MONTGOMERY: Did the notice go to this Jackie Karkowski?

MR. PECCON: Correct. It went out to his client and each landlord in the Borough.

MR. DONOVAN: How do you know that?

MR. PECCON: I do these essentially alphabetically, one by one. This is all done by hand by myself.

MR. DONOVAN: So what if a piece of mail comes back, what do you do then?

MR. PECCON: If it comes back because there's a typographical error, we'll resend it out. If it comes back because someone has a forwarding address, we'll send it to

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whatever that forwarding address is.

MS. FOX: I'm just going to intervene because it's irrelevant. They don't have to send it out to begin with. I think it's time to close, Mr. Donovan.

MR. DONOVAN: I'm done. Thank you. I disagree. I mean, municipalities are under a duty to send tax bills, to send water bills, to send notices. And, like I said, if what resolves this is paying the \$10 times 204 units, plus the 163 units, we're willing to do that. We're willing to work with the Borough as far as getting these undisputed items resolved; if not, then so be it.

MR. MONTGOMERY: I just had one question. Did any mail come back from this property owner?

MR. PECCON: No. Not on this. We did send them out also a Certified notice on -- this March 6 notice was certified. I would have to check to see if we have the card that they signed for it, but it did not come back.

MR. MONTGOMERY: That's all I have.

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MS. FOX: Okay. At this time the Board will now recess to discuss the cases.

(Short recess taken.)

MR. MONTGOMERY: The Board has met in executive session to discuss the appeals at 2015-01 and 2015-02. And you can ask if anybody has a motion with respect to 2015-01.

MS. FOX: Does anyone on the Board have a motion with respect to Case 2015-01?

MS. LEE: I do. I make a motion to deny the appeal with respect to Case No. 2015-01 and enforce the revocation for the rental license on those properties.

MS. FOX: Do I have a second?

MS. GEORGE: I second that.

MS. FOX: Does any Board member wish to make any comment about this?

(No response.)

MS. FOX: Hearing none, we'll call the roll.

MR. MONTGOMERY: Ms. Monk?

MS. MONK: Yes.

MR. MONTGOMERY: Ms. Lee?

MS. LEE: Yea.

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MR. MONTGOMERY: Ms. George?

MS. GEORGE: Yea.

MR. MONTGOMERY: Mr. Zeppuhar?

MR. ZEPPUHAR: Yea.

MR. MONTGOMERY: Ms. Fox?

MS. FOX: Yes.

MR. MONTGOMERY: That's five to
nothing. The motion is carried.

MS. FOX: Would anyone like to
make a motion on Case 2015-02?

MS. LEE: I'll make the motion to
deny the appeal with respect to Case No. 2015-02
and enforce the revocation of the rental license
on those properties as well.

MS. FOX: Do I have a second on
the motion?

MS. GEORGE: I second that.

MS. FOX: Does anyone have any
comments on the motion?

(No response.)

MS. FOX: We'll do roll call.

MR. MONTGOMERY: Ms. Monk?

MS. MONK: Yes.

MR. MONTGOMERY: Ms. Lee?

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MS. LEE: Yes.

MR. MONTGOMERY: Ms. George?

MS. GEORGE: Yes.

MR. MONTGOMERY: Mr. Zeppuhar?

MR. ZEPPUHAR: Yes.

MR. MONTGOMERY: Ms. Fox?

MS. FOX: Yes.

MR. MONTGOMERY: That's five to
nothing. The motion is carried.

MS. FOX: This concludes the
April 21, 2015, meeting of the Rental Property
Board of Appeal. Do I have a motion for
adjournment?

MS. GEORGE: Motion to adjourn.

MS. MONK: I second that.

MS. FOX: All those in favor say
aye.

MS. MONK: Aye.

MS. LEE: Aye.

MS. GEORGE: Aye.

MR. ZEPPUHAR: Aye.

MS. FOX: Aye.

(Whereupon, the above-entitled
matter was concluded at 9:21 p.m., this date.)

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