



Legislation Text

File #: 17-0300, **Version:** 1

ITEM TITLE:

Lloyd Tremmer House Abatement Report

SUBMITTED BY: Lisa Von Bargaen, CD Director

FISCAL NOTES:

Expenditure Required: N/A

Unencumbered Balance: N/A

Funding Source: N/A

RECOMMENDATION:

None. Report only.

SUMMARY STATEMENT:

Glen & Vernell Sodergren appeared before the City Council at the first meeting in May requesting an update on the status of abatement proceedings on the Lloyd Tremmer house. This home is located at the corner of Hazelet and Mendeltna Streets.

In 2015, due to illness, Mr. Tremmer was “evacuated” from the home by EMS personnel and he was transferred to Anchorage for care where he remained until his passing that same year. Prior to his death, Mr. Tremmer named his stepdaughter, Leslie McNamara of Washington State, as Power of Attorney. That summer the City officially condemned the house due to its condition and began the initial abatement proceedings. This included having an engineering assessment completed to determine if the structure was salvageable. The engineer determined the “bones” of the house (with the exception of one corner of the foundation) to be sound. However, the inside condition of the house was, and continues to be a very serious health hazard. Prior to his departure from the house Mr. Tremmer did not have access to sanitary facilities within the home. In addition to that issue, the home is stacked several feet thick of miscellaneous items including household goods, personal belongings, and unfortunately a significant amount of solid waste (garbage).

Staff began working with Ms. McNamara to find a solution. Thankfully, one presented itself several times over. A minimum of six different people approached Community Development staff asking to purchase the property so they could demolish the existing structure and build a new home. All of those inquirers were connected with Ms. McNamara in hopes she would sell the property and the new private owners would address the abatement issue without the City having to go through an extensive legal process.

Unfortunately, Mr. Tremmer passed away, and with that any legal standing Ms. McNamara had as

Power of Attorney. Her only documentation is a copy of Mr. Tremer's will. Without an original copy she has no ability to do anything with the property. Ms. McNamara has not been in a position where she could travel to Alaska to go through the house. She attempted, without success, to arrange for a family friend to go through the house on her behalf to search for the original copy of the will and other important family belongings. That effort went so far as the Police Department ready with a key to the lock on the house to assist the family friend in getting into the structure. Staff had also provided her with information on how the items (including waste in the home) could be disposed and the costs associated with it. Ms. McNamara was unable throughout last year to find any assistance.

Prior to the May 2nd meeting CD staff met with the engineer who performed the structural evaluation to enquire if the house is still stable. The opinion of the engineer is that the failing corner has likely gotten much worse over the past two years. Following the request by the Sodergrens, staff reached out to Ms. McNamara to advise her that the City has no choice but to move forward with formal abatement proceedings unless she is able to provide an alternative.

As luck would have it Ms. McNamara has a friend currently driving the ALCAN Highway to Alaska who has volunteered to go through the Tremer house in hopes of finding the original copy of the will, and other important items. Staff will be working with this person to arrange for access to the house and disposal of things as might be necessary. No definitive timeframe for completion of this task has been identified as the exact arrival date of Ms. McNamara's friend is yet unknown. Upon her arrival staff will work with them to develop an end date for access to the house. It is the hope that the original copy of the will can be located and Ms. McNamara can sell the property to someone who will take on the responsibility of demolition and removal of the structure and its remaining contents. If it cannot be located, the City may have to go through an extensive court procedure to gain access to the property to abate the issue. That is the least desirable scenario.

Currently \$1,390 is owed to the City for 2016 taxes, interest and penalties. Prior to that Mr. Tremer qualified for the Senior Citizen exemption under which no taxes were owed. Following his passing, the property no longer qualifies for the exemption.

If the City ends up being responsible for the abatement of the property a lien for the cost of the effort will be put on the property. The City can use the foreclosure process to obtain title for the home and eventually (after seven years of no claim or payment) the City will obtain clear title to the property and it can be sold to recoup the costs of the abatement and back taxes - again the least desirable scenario.

Staff will continue to provide updated reports to the Council.