



City of Cincinnati

DEPARTMENT OF COMMUNITY DEVELOPMENT

Centennial Plaza II
805 Central Avenue, Suite 700
Cincinnati, OH 45202

APPEAL TO THE

BOARD OF HOUSING APPEALS

ADDRESS OF PREMISES IN QUESTION _____

NAME AND ADDRESS:

Appellant: _____ Address: _____

Owner: _____ Address: _____

Lessee: _____ Address: _____

I hereby appeal to the Board of Housing Appeals for a hearing before the board in reference to the attached (ruling) (order) issued to _____ by the Code Official or Housing Officer, Department of Community Development, issued under the date of _____. The appeal is based on the following grounds: (use additional sheets if required) _____

I hereby depose and say that the above statements and the statements transmitted herewith are true.

Signature of Appellant: _____

Mailing Address: _____

Telephone Number: _____

Relationship of appellant to owner: Same _____ Lessee _____ Attorney _____ Other _____

Please specify if other _____

Sworn to and subscribed before me, this _____ day of _____, 20_____.

Notary Public _____

OFFICE USE ONLY

Case Number _____ Date Filed _____

ANSWERS TO FREQUENTLY ASKED QUESTIONS

PLEASE NOTE: This information is supplied for your convenience. Your attention is directed to the full text and provisions of Chapter 1101 Cincinnati Building Code, The Cincinnati Property Maintenance Code and the Ohio Revised Code Chapter 3735 for community reinvestment areas related appeals.

1.) WHO MAY APPEAL? Persons aggrieved by notices of violation, decisions, or orders of the Department of Community Development ("DCD"), issued by Code Officials from the Division of Property Maintenance Inspections, pursuant to their enforcement of the Cincinnati Building Code, the VBML Ordinance, or decisions of a housing officer issued pursuant to 3735.65 to 3735.69 of the Ohio Revised Code (CRA Codes)

2.) WHAT MAY BE APPEALED? A written ruling or a written order to make repairs, corrections or alterations, or to obtain a Vacated Building Maintenance License, or rulings of a Housing Officer as it relates to Community Reinvestment Areas, such as denial of a tax exemption etc. may be appealed.

3.) WHEN MUST AN APPEAL BE FILED? Appeal must be filed within 30 days of the issuance of the order, notice or ruling.

4.) WHAT ARE THE GROUNDS FOR AN APPEAL?

- a.) That the property values in and around the subject building/property will not be adversely affected should the appeal be granted; and,
- b.) That the exception is consistent with the intent and purpose of the Cincinnati Building Code and will not be detrimental to the public health, safety, and general welfare; or,
- c.) That there has been a misinterpretation of the Cincinnati Building Code by the City official or enforcement officer issuing the decision; or,
- d.) That a variance from the applicable section of the Cincinnati Building Code, the administration thereof, or any rule or regulation made hereunder, in the specific case, will not be contrary to the public interest and a literal enforcement of such provisions will result in undue hardship. For Community Reinvestment Area Appeals- overruling a decision of a Housing Officer would be consistent with sections 3735.65 to 3735.69 of the Ohio Revised Code.

5.) HOW DO I FILE? Complete this form and deliver or send it to the Secretary to the Housing Board of Appeals at Centennial Plaza II, 805 Central Avenue, Suite 700, Cincinnati, OH 45202. This form must be notarized and be accompanied by:

- a.) A copy of the written ruling or written order appealed;
- b.) A non-refundable filing fee in the sum of \$50.00, check made payable to the City of Cincinnati and;
- c.) Pursuant to Item #4 above, a supporting statement or argument to be offered for the Board's consideration must be included. An appeal based wholly or in part on hardship must include detailed bid estimates on the cost of compliance and a statement of income.
- d.) A VBML waiver must include a detailed rehabilitation plan and a completed waiver application.

6.) WHAT AUTHORITY DOES THE BOARD HAVE? The Board has authority to overrule decisions of a Housing Officer related to Community Reinvestment Areas; to waive VBML fees and compliance with the 13 point building preservation criteria for up to two years; to modify, affirm, reverse or set aside the ruling or order appealed from.

7.) WHEN ARE THE HEARINGS HELD ? The hearings are held the first Wednesday of each month at 1:30 PM at the Business Development and Permit Center, 3300 Central Parkway, Cincinnati, Ohio. Your case will be set by the board as the caseload and schedule permits. You will be notified 10 days prior to the hearing when your case is scheduled.

8.) HOW WILL I KNOW THE BOARD'S DECISION ? Decisions are made in open sessions, usually immediately after the hearing. The decision will be sent to the owner of the property, the appellant and the City agencies involved within 30 days of the final hearing.