

Case No. Z022-0060

Memorandum on Appeal

The first mailing that I had from Jose Gaxiola, the current code inspector, was the notice of the court date for the hearing for the 2 counts of violation. As I do not live in Casa Grande, I called the tenant, Jesse Alexander, and informed him of the letter. He told me that he knew what the problem was and that he would take care of it. I waited to hear back from him that it was done but when I hadn't heard for a couple of weeks, I called him again. He was too sick at that time to even talk on the phone so I waited another week and called again. He told me that he had taken care of the problem so I called Jose Gaxiola to tell him that it was done. I had to leave a message and he got back to me about a week later. I told him then that Mr. Alexander had taken care of what he believed the problem was.

It turned out that Jose Gaxiola was complaining about areas that Mr. Alexander was not aware were a problem. The previous code inspector, Carrie Duncan, had had contact with Mr. Alexander and he believed that he had taken care of everything according to what she had indicated needed to be done. Because of those contacts, he thought that the problem was just with things stored on the east side of the fence so that is what he had cleaned up. When Mr. Gaxiola informed me that that area was fine but that the problem was also behind the back fence, and in the carport, and some tires on the west side of the house as well as things in the backyard that could be seen over the fence, I passed this information on to Mr. Alexander but he was not able to get all of that cleaned up in time. Although Mr. Gaxiola told me that what the previous code inspector said didn't matter, when she said DID affect how Mr. Alexander understood the issue. Mr. Alexander's contact was only with the previous inspector since Mr. Gaxiola said that he didn't deal with tenants just with owners so Mr. Alexander was cleaning up what he

understood based on his previous contacts. Mr. Alexander is 89 years old and did not understand at first that the situation had changed.

I had understood that Mr. Alexander had gotten things cleared up with the previous code inspector and I hadn't heard anything else for her in some time. When I received the court date from Mr. Gaxiola, I thought that this was a new complaint. He told me he would email me some pictures but I did not see the pictures until I went to the hearing and was handed hard copies of them. I wasn't able to go to the property until a few days later, at which time I saw that one of the trucks being complained about was actually quite a bit more than 5 feet behind the back fence and I wondered how I was responsible for someone else's vehicle being parked that far off my property. The truck that was missing a tire was closer to the fence but has since had the tire replaced and been moved elsewhere.

I am also concerned that when I told Mr. Gaxiola that I didn't think Mr. Alexander understood exactly what he wanted cleared up, Mr. Gaxiola said that Mr. Alexander did understand. I thought he must have talked to him but he had not. That is why the fact that the only in person contacts were between the previous code inspector and Mr. Alexander is so important. He had nothing else to base his understanding of what needed to be done on except what he had heard from her. As I was unable to personally visit the property at the time, I had to rely on what I was told by Mr. Alexander and by Mr. Gaxiola. I have been out to the property since the hearing and have seen that Mr. Alexander has done a great deal of work on it. Mr. Gaxiola also informed me that he had been out to the property again after the hearing had also seen that a lot of work had been done. More has been done since then. Mr. Alexander is slow because of his age but he is working to fix the problem now that he understands what is involved.

Neither I nor my mother ever had any in-person contact with the previous code inspector. My mother died in 2016. I never met Mr. Gaxiola until the hearing. I had talked to him on the telephone and thereby found out that more was needing to be done but that was my only contact with him.

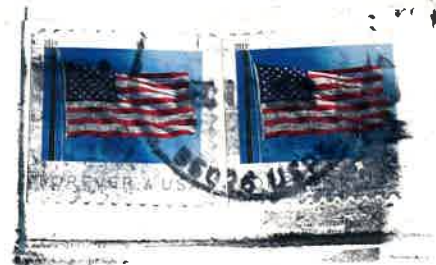
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