CODE BOARD OF APPEALS

The Code Board of Appeals meeting was held on April 16, 2026, at 3:38 p.m., with Dr. Sudler presiding. The members present were Mr. Neil, Ms. Main (via Webex), and Mr. LeBoon. Staff members present were Mr. Kopp, Mr. Wood, Mr. Miller, and Ms. Wheeler. Dr. Pillsbury was absent.

ADOPTION OF AGENDA

Mr. LeBoon moved for approval of the agenda, seconded by Mr. Neil, and unanimously carried.

DOVER CODE ORDINANCE VIOLATION: (Chapter 22 – Buildings and Building Regulations, Article X – Rental Dwellings, Division 1 – Generally, Section 22-232 – Inspection Required - Appeal of Citation and Related Fines – 48 Heatherfield Way

Dr. Sudler recused himself due to being friends with the appellant's father.

Mr. Thomas Miller, Code Enforcement Officer, reviewed the case history for 48 Heatherfield Way.

Responding to Mr. Neil, Ms. Loockerman stated that she never received anything in the mail. She noted that she had a tenant that she could never get a hold of, and she ended up having to evict them from the property. She further noted that the neighbor was doing renovations to the house and had advised her that there was a posting on the door due to the renovations being done. She explained that she changed her address with the City of Dover, but she was not aware that she needed to change her address through the tax office. She stated that she had not received anything prior to the one citation that was posted on her door on February 26th.

Responding to Mr. Neil, Ms. Loockerman had reached out to the Code Enforcement Office and had the inspection scheduled. She noted that the Code Enforcement Officer had come out between a week and two (2) weeks ago, and that the inspection was already completed.

Responding to Mr. Neil, Mr. Miller stated that the inspection was done on the property, but the smoke detector was not working.

Mr. Eddie Kopp, Chief Code Enforcement Officer, referenced Chapter 22 – Buildings and Building Regulations, Article VII – Property Maintenance, Section 22-225 – Violation, Item D - Owner's Address of the Dover Code of Ordinances: "The owner of the property shall be responsible for maintaining an accurate mailing address with the City of Dover tax office at all times." He stated that the item was current in the Dover Code of Ordinances and that it was an amendment to the code. He noted that, on behalf of Code Enforcement, it was a violation of the code and that the owner failed to follow the code under Section 22-225.

Responding to Mr. Neil, Mr. Kopp stated that the certified mail was sent to the last address on file in accordance with the code. He further stated that the address was never updated with the tax office under Section 22-225, so they sent the certified mail to the address they had on file. He emphasized that there was no compliance with Section 22-225 of the ordinance to update the tax office.

Responding to Mr. LeBoon, Ms. Loockerman stated that she changed her address in October of 2023, when she received her rental license and had her inspection for the first time, having a rental. She further stated that she had updated her address because she had to have a rental license. She noted that when it came to the tax office, she assumed that since that was part of her mortgage, she was not aware that she had to contact them because the city had her address already. She mentioned that when she received her rental license and the city contacted her regarding her rental license, she had always received the paperwork.

Responding to Mr. LeBoon. Ms. Loockerman stated that she had her rental license modified and updated back in 2023, but the only thing she did not do was update her address with the tax office. She noted that all the communication regarding and from the City of Dover, her bills, rental license, the renewal of her rental license, and everything that has come to that address.

Responding to Mr. LeBoon, Mr. Kopp stated that they do have access to those records from the rental dwelling permit, but by code, they must go by the tax records and must look at the owner's last known address on file. He explained that there was an issue with owners not updating their addresses, which was why it was further embedded into the code now, and it was the responsibility of the owners and the citizens to verify the code. He noted that it was the owner's responsibility to ensure that they comply with the code, especially if they were conducting a business, and emphasized that rentals were a business. He further noted that one (1) of the things they try to educate individuals on is to familiarize themselves with the code, to understand the code, and to do their research.

Responding to Mr. Neil, Mr. Kopp stated that the tax bill went to the last address on file, and the last address on file was the rental address 48 Heatherfield Way.

Responding to Mr. Neil, Mr. Kopp stated that the tax bill was being sent to 48 Heatherfield Way and was not sure how she was receiving her tax bill. He noted that there was a way to opt into electronic billing, and in many cases, the tax bill was paid directly through a mortgage escrow account. He mentioned that they often heard that individuals disregarded the tax bill because of that.

Responding to Mr. Neil, Mr. Kopp stated that he believed that the tax bill could be sent by email, but they could not do that. He noted that they had to send notices to the last known address on file, and it had to be a physical mailing address. He further noted that it was possible that the tax bill was emailed, but he could not speak to that or confirm it.

Responding to Mr. Neil, Mr. Kopp stated that the fine was $100.

Responding to Mr. Neil, Mr. Miller stated that the property had been inspected and there were two (2) issues.

Responding to Mr. Neil, Mr. Miller stated that the issues would be resolved in the next two (2) weeks when he goes back for reinspection.

Mr. LeBoon moved to deny the appeal for 48 Heatherfield Way. The $100.00 citation fee remains in effect. The motion was seconded by Mr. Neil and unanimously carried.

Responding to Ms. Main, Ms. Loockerman stated that everything was through her mortgage company and that everything would be sent with the mortgage statement at the end of the year.

Responding to Ms. Main, Ms. Loockerman clarified that she did not receive any notification except for the notification that was placed on her door.

Ms. Main stated that she found the Code Enforcement process a little unfair. She explained that if a homeowner had everything handled through a mortgage company and notices were being sent to a rental property address, the homeowner might never receive them. She noted that notices could have been removed if they were stapled to the property or even mailed there. She stated it was difficult for someone to know about a notice if they did not live at the residence or regularly check the mailbox. She added that not everyone knew they were supposed to update their information, although she understood that property owners were expected to contact Code Enforcement. She further stated that unless the notice was sent directly to the owner's name or by email, the homeowner might not know there was an issue.

Responding to Ms. Main, Mr. Kopp stated that, based on the code and legal opinion, they could not contact property owners by email. He explained that the code only allowed notices to be sent by first-class or certified mail. He added that there had been past issues with tenants interfering with mail, which was why the provision existed in the code, and that should be her interpretation. The provision and code were the owner's responsibility to maintain a current address with the tax office, and that was not done. He mentioned that if the owner had followed through with the requirements of the code, she would have been properly notified.

Responding to Ms. Main, Mr. Kopp stated that they had the last known address on file. He noted that the last address she provided to the tax office was 48 Heatherfield Way, and legally, that was the address they had to go by.

Responding to Ms. Main, Mr. Kopp stated that the certified mail was posted to the property. He read into the record, 2009 International Property Maintenance Code Section 107.3 – Method of Service:

> Such notice shall be deemed to be properly served if a copy thereof is:
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> 1. Delivered personally;
> 2. Sent by certified or first-class mail addressed to the last known address; or
> 3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

Mr. Kopp stated that in accordance with the code, the notice was sent via certified mail, and when the notice was returned, it was placed in a conspicuous place on or about the structure affected by such notice so that it was in compliance with the code.

Responding to Mr. Kopp, Ms. Main stated that placing a notice on the door or somewhere where anything could have happened to the notice was not necessarily considered giving it to that individual as certified.

Responding to Ms. Main, Mr. Kopp stated that he understood what she was saying, but the mitigating factor was that the address had not been updated. He noted that to avoid posting the notice, the address should have been updated in accordance with the code, and then it would not have needed to be posted on the door. He explained that under the international code that is used throughout the country, Code Enforcement sent the notice by certified mail first, and if the notice was returned, the notice was then posted on the property, and that was in accordance with the code. Responding to Mr. Kopp, Ms. Main questioned how a homeowner was supposed to know they needed to update their information, and if there was a violation that was occurring at one (1) property, she did not understand why notices would be sent to a different address where no violation existed. She stated that the violation involved a rental property that the owner possessed, not the owner's current residence. She believed that the city should have had her updated information if the property had become a rental. In her opinion, she believed that there was negligence on both sides and that Code Enforcement should have made more effort to reach out to the owner.

Responding to Ms. Main, Mr. Kopp stated that it was not negligence on the part of Code Enforcement because they followed the code exactly as written. He further stated that the code was black and white, and while he understood the opinion being expressed, their actions complied fully with the code.

Responding to Mr. Kopp, Ms. Main stated that the interpretation of the code meant that when something was certified and received, it meant it actually reached that individual. She further stated that the notification was not handed directly to the owner of the rental property but was instead left on the door for her to find. So, by her interpretation of the code, certification meant it had to be personally presented to the person and received by them directly.

Responding to Mr. Neil, Mr. Kopp stated that they try to reach out to as many HOA's as they can and explain things while they are out there conducting business. He explained that there were around 8,000 rental units in the city, so it was not possible to educate everyone, but they did their best to educate as many individuals as they could. He concluded that it was the owner's responsibility to make sure the property complied with the code.

Mr. Neil explained that they needed to go back and make sure there was at least one (1) document explaining that if an owner wanted to rent a property, certain requirements had to be followed and would ensure that the owners understood that if they changed their address and failed to update, there would be a good chance they would not receive any notices, especially if a tenant tore up the notice or did not show it to the owner. He stated that staff had done what they were supposed to do, but the ordinance could be reviewed to include more educational information and ensure those steps were clearly explained. He also stated that when inspections were scheduled, they should take place within the allotted timeframe because it was costing the city time and resources to send staff back out to perform the same duties repeatedly.

Mr. Kopp stated that the biggest issue was adding a disclaimer to the rental license application stating that the applicant had reviewed and would comply with all Dover codes.

DOVER CODE ORDINANCE VIOLATION: (Chapter 46 – Fire Prevention and Protection, Section 46-1 – Means of Egress) - Appeal of Citation and Related Fines – 286 Troon Road
Dr. Sudler recused himself due to knowing the appellant.

Mr. Kopp stated that the appellant, Ms. Bridget Anakwe had called in and would not be available for the appeal. He noted that Ms. Anakwe was advised that failure to come to the meeting would result in the city recommending the appeal be denied due to a no-show. He further noted that Ms. Anakwe had other obligations. He added that she was properly notified and was aware of the

meeting date and time. He recommended on behalf of the city that Item #2 be denied due to Ms. Anakwe being a no-show.
Responding to Mr. Neil, Mr. Kopp stated the citation was issued for failure to remove obstruction from means of egress in violation of Dover Code of Ordinance 46-1 Means of Egress. He mentioned that the house in the pictures that he has seen was blocked with excessive material preventing the egress from the front door, and that the sub block was highly combustible material with further posed a fire risk.

Responding to Mr. Neil, Mr. Kopp stated that the obstructions have been from a period of several months, and the case started back on February 11, 2026. He noted that the citation was issued on March 13, 2026, so 30 days later, the citation was issued for non-compliance.

Responding to Mr. Neil, Mr. Kopp stated that from the last inspection, the obstruction had not been cleared up, but they were unaware whether the obstruction had been cleared.

Responding to Mr. Neil, Mr. Kopp stated that if the obstruction was not cleared up on the next follow-up date or if the result of the hearing, it would be reinspected, and further fees would be assessed if the obstruction was still there.

Mr. LeBoon moved to deny the appeal for 286 Troon Road. The motion was seconded by Mr. Neil and unanimously carried.

Mr. Neil moved for an adjournment of the Code Board of Appeals meeting; the meeting adjourned at 4:09 p.m.

The meeting adjourned at 4:09 p.m.

Dr. Roy Sudler, Jr.
Chairman

RS/cw