

AGENDA

STATE BUILDING CODE TECHNICAL REVIEW BOARD

Friday, November 15, 2024 - 10:00am

Virginia Housing Center  
4224 Cox Road Glen Allen, Virginia 23260

- I. Roll Call **(TAB 1)**
- II. Approval of October 18, 2024 Minutes **(TAB 2)**
- III. Approval of November 1, 2024 Minutes **(TAB 2)**
- IV. Approval of Final Order **(TAB 3)**
  - In Re: Susan Frazier  
Appeal No. 24-02
- V. Public Comment
- VI. Appeal Hearing **(TAB 4)**
  - In Re: RVA Home LLC  
Appeal No. 24-08
- VII. Secretary's Report
  - a. Draft Policy 32 **(TAB 5)**
  - b. 2025 Calendar of Meetings **(TAB 6)**
  - c. 2024 Appeals Training Provided
  - d. January 17, 2025 meeting update
  - e. Legal updates from Board Counsel

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STATE BUILDING CODE TECHNICAL REVIEW BOARD

**James R. Dawson, Chair**

(Virginia Fire Chiefs Association)

**W. Shaun Pharr, Esq., Vice-Chair**

(The Apartment and Office Building Association of Metropolitan Washington)

**Vince Butler**

(Virginia Home Builders Association)

**J. Daniel Crigler**

(Virginia Association of Plumbing-Heating-Cooling Contractors and the Virginia Chapters of the Air Conditioning Contractors of America)

**Alan D. Givens**

(Virginia Association of Plumbing-Heating-Cooling Contractors and the Virginia Chapters of the Air Conditioning Contractors of America)

**David V. Hutchins**

(Electrical Contractor)

**Christina Jackson**

(Commonwealth at large)

**Joseph A. Kessler, III**

(Associated General Contractors)

**R. Jonah Margarella, AIA, NCARB, LEED AP**

(American Institute of Architects Virginia)

**Eric Mays**

(Virginia Building and Code Officials Association)

**Joanne D. Monday**

(Virginia Building Owners and Managers Association)

**James S. Moss**

(Virginia Building and Code Officials Association)

**Elizabeth C. White**

(Commonwealth at large)

**Aaron Zdinak, PE**

(Virginia Society of Professional Engineers)

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1                                   **STATE BUILDING CODE TECHNICAL REVIEW BOARD**  
2                                   **MEETING MINUTES**  
3                                   **October 18, 2024**  
4                                   **Virginia Housing Center**  
5                                   **4224 Cox Road Glen Allen, Virginia 23060**  
6

Members Present

Mr. James R. Dawson, Chairman  
Mr. Vince Butler  
Mr. David V. Hutchins  
Mr. Joseph Kessler  
Mr. Eric Mays, PE  
Ms. Joanne Monday  
Mr. James S. Moss  
Mr. W. Shaun Pharr, Esq., Vice-Chairman

Members Absent

Mr. Daniel Crigler  
Mr. Alan D. Givens  
Ms. Christina Jackson  
Mr. R. Jonah Margarella  
Ms. Elizabeth White  
Mr. Aaron Zdinak, PE

7  
8 Call to Order                   The meeting of the State Building Code Technical Review Board  
9                                   ("Review Board") was called to order at approximately 10:20 a.m. by  
10                                   Chair Dawson.

11  
12 Roll Call                        The roll was called by Mr. Luter and a quorum was present. Mr. Justin  
13                                   I. Bell, legal counsel for the Review Board from the Attorney General's  
14                                   Office, was also present.

15  
16 Approval of Minutes        The draft minutes of the September 20, 2024 meeting in the Review  
17                                   Board members' agenda package were considered. Mr. Mays moved to  
18                                   approve the minutes as presented. The motion was seconded by Mr.  
19                                   Hutchins and passed with Messrs. Butler, Kessler, and Moss and Ms.  
20                                   Monday abstaining.

21  
22 Final Order                    Hotel Street LLC: Appeal No. 24-06:  
23  
24                                   After review and consideration of the final order presented in the  
25                                   Review Board members' agenda package, Mr. Mays moved to approve  
26                                   the final order as presented. The motion was seconded by Mr. Hutchins  
27                                   and passed with Messrs. Butler, Kessler, and Moss and Ms. Monday  
28                                   abstaining.

29  
30                                   Brittton Hall LLC: Appeal No. 24-07:  
31  
32                                   After review and consideration of the final order presented in the  
33                                   Review Board members' agenda package, Mr. Mays moved to approve  
34                                   the final order as presented. The motion was seconded by Mr. Hutchins  
35                                   and passed with Messrs. Butler, Kessler, and Moss and Ms. Monday  
36                                   abstaining.

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39 Public Comment

Chair Dawson opened the meeting for public comment. Mr. Luter advised that no one had signed up to speak. With no one coming forward, Chair Dawson closed the public comment period.

43 New Business

Reconsideration for A10 Capital LLC: Appeal No. 24-05:

A petition for reconsideration for Appeal No. 24-05 was presented in the Review Board members' agenda package.

After discussion, Mr. Pharr moved to grant the reconsideration request. The motion was seconded by Mr. Butler and passed with Mr. Kessler voting in opposition.

After further discussion, Mr. Pharr moved to revise the Board decision for Item D in Section IV. Conclusion of the final order to read as follows:

*“The decision of the City and local appeals board requiring that the structures located at 2101-2121 Kecoughtan Road may be demolished is warranted under VMC Section 106.1 Unsafe Structure or Structures Unfit for Human Occupancy and is a proper remedy if, within twelve (12) months from the date of this final order, the building permits for the entire property are not issued.”*

The motion was seconded by Mr. Butler and passed with Messrs. Kessler, Mays, and Moss voting in opposition.

After further discussion, Mr. Butler moved to revise the Board decision for Item C in Section IV. Conclusion of the final order to read as follows:

*“The decision of the City and local appeals board that the structures located at 2101-2121 Kecoughtan Road must be brought into compliance, is upheld; however, the Review Board amends the timeline to twelve (12) months, from the date of this final order, to have the building permits issued for the entire property, because the allotted time provided by the City was not sufficient to reach settlement, closing, and obtain the necessary building permits to renovate the property.”*

The motion was seconded by Ms. Monday and passed with Mr. Kessler voting in opposition.

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Susan Frazier: Appeal No. 24-02:

A preliminary hearing convened with Chair Dawson serving as the presiding officer. The hearing was related to the property located at 3305 Spring Drive in Fairfax County.

The following persons were sworn in and given an opportunity to present testimony:

Sherry Frazier, Sister to owner Susan Frazier

Also present was:

Patrick Foltz, Attorney for Fairfax County

After testimony concluded, Chair Dawson closed the preliminary hearing and stated a decision from the Review Board members would be forthcoming and the deliberations would be conducted in open session. It was further noted that a final order reflecting the decision would be considered at a subsequent meeting and, when approved, would be distributed to the parties, and would contain a statement of further right of appeal.

Decision: Susan Frazier: Appeal No. 24-02:

Item 1:

After deliberations, Ms. Monday moved that the appeal was timely because the application and statement of relief sought were received within the required time frame. The motion was seconded by Mr. Mays and passed unanimously.

*Note: Mr. Pharr was not present for this vote.*

Item 2:

After further deliberations, Ms. Monday moved that the appeal was not properly before the board because the application, though received within the required time frame, was incomplete because a copy of the enforcement decision of the code official was not provided with the application as required by VPMC 107.8. The motion was seconded by Mr. Mays and passed unanimously.

*Note: Mr. Pharr was not present for this vote.*

Secretary's Report

Mr. Luter informed the Review Board of the current caseload for the upcoming meeting scheduled for November 15, 2024.

Mr. Bell provided legal updates to the Review Board members.

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1 STATE BUILDING CODE TECHNICAL REVIEW BOARD  
2 MEETING MINUTES  
3 November 1, 2024  
4 Virtual Meeting  
5  
6

Members Present

Members Absent

Mr. James R. Dawson, Chairman  
Mr. Vince Butler  
Mr. Daniel Crigler  
Mr. David V. Hutchins  
Ms. Christina Jackson  
Mr. Joseph Kessler  
Mr. R. Jonah Margarella  
Mr. Eric Mays, PE  
Ms. Joanne Monday  
Mr. James S. Moss  
Mr. W. Shaun Pharr, Esq., Vice-Chairman  
Ms. Elizabeth White  
Mr. Aaron Zdinak, PE

Mr. Alan D. Givens

7  
8 Call to Order The meeting of the State Building Code Technical Review Board  
9 (“Review Board”) was called to order at approximately 10:00 a.m. by  
10 Chair Dawson.

11  
12 Roll Call The roll was called by Mr. Luter and a quorum was present. Mr. Justin  
13 I. Bell, legal counsel for the Review Board from the Attorney General’s  
14 Office, was also present.

15  
16 Reconsideration Order A10 Capital LLC: Appeal No. 24-05:  
17  
18 After review and consideration of the reconsideration order presented  
19 in the Review Board members’ agenda package, Mr. Mays moved to  
20 approve the reconsideration order as presented. The motion was  
21 seconded by Mr. Zdinak and passed with Mr. Kessler voting in  
22 opposition and Messrs. Crigler, Margarella, and Zdinak and Mses.  
23 Jackson and White abstaining.

24  
25 Revised Final Order A10 Capital LLC: Appeal No. 24-05:  
26  
27 After review and consideration of the revised final order presented in  
28 the Review Board members’ agenda package, Ms. Monday moved to  
29 approve the revised final order as presented. The motion was seconded  
30 by Mr. Pharr and passed with Mr. Kessler voting in opposition and  
31 Messrs. Margarella and Zdinak and Ms. Jackson abstaining.  
32

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33 After further discussion, Mr. Pharr moved that a note should be added  
34 to the decision stating that *“In issuing this reconsideration decision,*  
35 *the Board expresses its intention and expectation that the parties will*  
36 *work in good faith to achieve the renovation, rather than demolition,*  
37 *of the subject properties”*. The motion did not receive a second.

38  
39 After further discussion, Mr. Pharr moved that a note should be added  
40 to the decision stating that *“In issuing this reconsideration decision,*  
41 *the Board expresses its intention and expectation that the parties will*  
42 *work in good faith to resolve the fate of the subject properties”*. The  
43 motion was seconded by Ms. Monday and failed with Messrs. Butler,  
44 Crigler, Kessler, Margarella, Mays, Moss and Zdinak and Mses.  
45 Jackson and White voting in opposition.

46  
47 Public Comment Chair Dawson opened the meeting for public comment. Mr. Luter  
48 advised that no one had signed up to speak. With no one coming  
49 forward, Chair Dawson closed the public comment period.

50  
51 Secretary’s Report None.

52  
53 Adjournment There being no further business, the meeting was adjourned by proper  
54 motion at approximately 11:00 a.m.

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57 Approved: November 15, 2024

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61 \_\_\_\_\_  
62 Chair, State Building Code Technical Review Board

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Secretary, State Building Code Technical Review Board

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1 VIRGINIA:  
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3 BEFORE THE  
4 STATE BUILDING CODE TECHNICAL REVIEW BOARD  
5 **(Preliminary Hearing for Completeness of the Application and Timeliness)**  
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7  
8 IN RE: Appeal of Susan Frazier  
9 Appeal No. 24-02  
10

11 DECISION OF THE REVIEW BOARD

12  
13 I. Procedural Background  
14

15 The State Building Code Technical Review Board (Review Board) is a Governor-  
16 appointed board established to rule on disputes arising from application of regulations of the  
17 Department of Housing and Community Development. See §§ 36-108 and 36-114 of the Code of  
18 Virginia. The Review Board’s proceedings are governed by the Virginia Administrative Process  
19 Act (§ 2.2-4000 et seq. of the Code of Virginia).

20 II. Case History

21 Susan Frazier (Frazier) filed an appeal to the Fairfax County Board of Building Code  
22 Appeals (local appeals board). On February 14, 2024, the local appeals board upheld two decisions  
23 and overturned one decision of the code official. Frazier attempted to further appeal to the Review  
24 Board; however, Frazier never submitted a completed application for appeal or copy of the code  
25 official’s decision being appealed. Due to the lack of submittal of a completed application for  
26 appeal and copy of the enforcement decision of the code official, Review Board staff (Staff)  
27 processed the limited information that had been submitted and scheduled a preliminary hearing for  
28 the Review Board to determine completeness of the application and timeliness; the County, in its  
29 initial submittal, challenged the timeliness of the appeal.

30 Staff provides the following timeline and details of requests for submittals by staff to  
31 Frazier.

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- March 8, 2024, Frazier attempted to send an email to Staff while copying the State Building Codes Office (SBCO) general email inbox, which is the email address found on the application for appeal to the State Building Code Technical Review Boards (Review Board). In Frazier’s email she misspelled the name of staff; therefore, the email was only delivered to the SBCO general inbox. The SBCO team member charged with monitoring the SBCO general inbox forwarded Frazier’s email to staff on Friday March 8, 2024. Frazier’s email provided notice that she intended to appeal a decision of the Fairfax County Board of Building Code Appeals (local appeals board) received February 20, 2024. No application or supporting documents were attached to the email.
  - Monday March 11, 2024 Staff responded to Frazier and informed Frazier she could submit her application directly to staff at the email address from which she was receiving the message. Frazier’s initial appeals application, local appeals board resolution, and statement of relief sought were emailed to Review Board staff on Monday March 11, 2024.
  - March 12, 2024 Staff acknowledged receipt of the appeals application, local appeals board resolution, and statement of relief sought. After review of Frazier’s submittal that same day, staff emailed Frazier and outlined the documentation and/or information needed to be submitted for staff to begin processing her appeal. The email provided, in part, the following guidance for submittal:
    - a) *“A complete application was not submitted.”*
      - *Only one part of the Uniform Statewide Building Code may be selected on the application. Based on the resolution it appears the*

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55                                    *cited code was the Virginia Maintenance Code. Verify this to be*  
56                                    *true and update the application accordingly.*

57                                    *▪ The Opposing Party Information was not provided. Provide the*  
58                                    *name, telephone number, and email address of the Fairfax County*  
59                                    *Property Maintenance Official.*

60                                    *b) A copy of the enforcement decision being appealed was not submitted.*  
61                                    *Submit a copy of the enforcement decision being appealed.*

62                                    *c) The statement of relief sought submitted does not request relief the Review*  
63                                    *Board can provide. The statement of relief sought should outline what relief*  
64                                    *the appellant seeks from the Review Board related to the cited code*  
65                                    *violations. In other words, what are you asking the Review Board to do*  
66                                    *related to the cited code violations. This would be what you believe Fairfax*  
67                                    *County wrongfully cited in its enforcement decision. Asking the Review*  
68                                    *Board to have the “complainant to stop making false accusations and*  
69                                    *habitual complaint about my home” is outside the scope of the authority of*  
70                                    *the Review Board and not related to the cited code violations ...“*

71                                    *“Please be informed that your application is not considered as “filed” until*  
72                                    *this minimally required documentation is submitted.”*

73                                    *• March 13, 2024, Frazier responded acknowledging receipt of staff’s email dated*  
74                                    *March 12, 2024.*

75                                    *• March 20, 2024, staff followed up with Frazier because the requisite documentation*  
76                                    *and/or information had not been submitted. Frazier responded the same day,*  
77                                    *indicating she was working on the revisions. Staff acknowledged her email and*  
78                                    *advised that she not delay her submittal as it needed to be done within a specified*

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79 timeframe. Staff specified in detail the timeframe and deadline for submittal based  
80 on the information Frazier has provided at that time.

81 • April 29, 2024, staff followed up again with Frazier because the requisite  
82 documentation and/or information still had not submitted.

83 • May 1, 2024, Frazier acknowledged staff's email dated April 29, 2024 and  
84 indicated she was still working on her submittal.

85 • June 16, 2024, staff sent Frazier a final request for the requisite documentation  
86 and/or information because she still had not submitted any of the requisite  
87 documentation and/or information, providing a deadline of July 17, 2024. Staff  
88 informed Frazier that if she *“did not provide the requisite information and*  
89 *documentation by end of business July 17, 2024, this appeal will be presented to*  
90 *the Review Board on the issues of completeness of the appeal and not on the merits*  
91 *of your appeal, which will leave your appeal vulnerable for being dismissed.”*

92 • July 16, 2024, Frazier requested another copy of the appeals application. Staff  
93 provided Frazier a copy of the application that same day. Frazier acknowledged  
94 receipt the same day. Staff received no submittals from Frazier by the required  
95 deadline of July 17, 2024. Staff processed the appeal with the limited information  
96 that had been submitted by Frazier.

97 • July 18, 2024, Frazier requested until July 21, 2024 to submit the requisite  
98 documentation and/or information. Staff denied Frazier's request.

99 Appearing at the Review Board meeting for Frazier was Sherry Frazier, Frazier's sister,  
100 who testified under oath that she possessed power of attorney (POA) for Frazier. Appearing at the  
101 Review Board meeting for the County was Attorney Patrick Foltz.

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103 III. Findings of the Review Board

104 A. Whether the appeal was untimely.

105 B. Whether the application for appeal to the Review Board is complete.

106 Frazier argued that the appeal application was timely. Frazier further argued that that she  
107 attempted to submit a copy of the enforcement decision of the code official.

108 The County argued that Frazier’s appeal application filed on March 11, 2024, shown on  
109 page 47 of the record, was timely filed; however, a copy of the enforcement decision of the code  
110 official must be submitted along with the appeals application and must be submitted with 21  
111 calendar days of receipt of the decision being appealed. The County further argued that Frazier  
112 never submitted a copy of the enforcement decision of the code official; therefore, Frazier’s  
113 appeal application was incomplete and untimely; therefore, the appeal should be dismissed.

114 The County also argued that Frazier’s statement of relief sought was insufficient as it  
115 does not identify an error made by the code official or the local appeals board. The County  
116 further argued that Frazier, neither in the record of the appeal nor in her verbal testimony at the  
117 hearing, challenged the local appeals board decision. Lastly, the County argued as to whether  
118 Sherry Frazier could file the appeal application and appear before the Review Board to argue for  
119 Frazier without providing a copy of a PO,A which had been requested by the County and the  
120 Review Board.

121 The Review Board found that Frazier’s appeal was timely because an application for appeal  
122 and statement of relief sought were received within the required time frame. The Review Board  
123 also found that the appeal was not properly before the Board because the application, though  
124 received within the required time frame, was incomplete because a copy of the enforcement  
125 decision of the code official was not provided with the application as required by VPMC 107.8.

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IV. Conclusion

The appeal having been given due regard, and for the reasons set out herein, the Review Board orders as follows:

A. Whether the appeal was untimely.

Frazier’s appeal was timely because an application for appeal and statement of relief sought were received within the required time frame.

B. Whether the application for appeal to the Review Board is complete.

Frazier’s appeal was not properly before the Board because the application, though received within the required time frame, was incomplete because a copy of the enforcement decision of the code official was not provided with the application as required by VPMC 107.8.

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Chair, State Building Code Technical Review Board

Date entered \_\_\_\_\_ November 15, 2024 \_\_\_\_\_

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty (30) days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with W. Travis Luter, Sr., Secretary of the Review Board. In the event that this decision is served on you by mail, three (3) days are added to that period.

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VIRGINIA:

BEFORE THE  
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of RVA Home LLC  
Appeal No. 24-08

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VIRGINIA:

BEFORE THE  
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of RVA Home LLC  
Appeal No. 24-08

REVIEW BOARD STAFF DOCUMENT

Suggested Statement of Case History and Pertinent Facts

1. On April 26, 2024 the City of Richmond Department of Planning and Development Review (City), the agency responsible for the enforcement of Part III of the 2021 Virginia Uniform Statewide Building Code (VUSBC or VMC), inspected the structure located at 1321 Porter Street in the City of Richmond and subsequently issued a Notice of Violation – Unsafe Structure (NOV) to RVA Home LLC (RVA), for the third floor addition, citing the following VMC Sections:

- Report of Unsafe Conditions  
*106.1 US - Unsafe Structure*

*A Existing structure is determined to be unsafe if it (i) determined to by the code official to be dangerous to the health, safety and welfare of the occupants of the structure or the public; (ii) that contains unsafe equipment; or (iii) that is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation that partial or complete collapse is likely.*

*This property has been inspected and found to be unsafe due to the following conditions:*

*The third-floor addition was constructed without plans, permits, or inspections.*

*These issues pose a safety risk to inhabitants, neighboring structures, and the public at large if not repaired immediately. Consequently, the building is hereby placarded as unsafe. As a result of being placarded as unsafe, the property shall remain so until all necessary plans, permits, engineering reports, and inspections have been received, approved, and performed. All*

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*occupants are required to vacate the premises immediately, and entry to the structure, including by the owner, tenants, contractors, etc., is prohibited until a Right to Enter Letter has been generated by the inspector. Any person(s) entering the premises without the Right to Enter Letter risk arrest for trespassing by the Richmond Police Department.*

*To rectify these violations, follow the "City of Richmond Permit Process" to completion. Failure to comply with this notice by the abatement date may result in criminal court action*

2. RVA filed an appeal to the City of Richmond Local Board of Building Code Appeals (local appeals board). On August 21, 2024, the local appeals board upheld the decision of the code official. On September 12, 2024, RVA further appealed to the Review Board seeking to have the NOV overturned.

3. This staff document, along with a copy of all documents submitted, will be sent to the parties and opportunity given for the submittal of additions, corrections, or objections to the staff document, and the submittal of additional documents or written arguments to be included in the information distributed to the Review Board members for the hearing before the Review Board.

Suggested Issues for Resolution by the Review Board

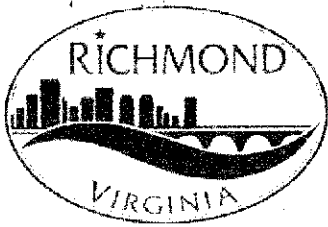
1. Whether a violation of VMC Section 106.1 exists.

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# Basic Documents

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**NOTICE OF VIOLATION - UNSAFE STRUCTURE**

City of Richmond  
Department of Planning & Development Review  
Property Maintenance Division  
900 E. Broad Street, Room G-12  
Richmond, Virginia 23219  
April 26, 2024

Este documento es un aviso de la Ciudad Richmond notificandole que usted tiene un problema con su casa o propiedad, el cual debe ser corregido a la brevedad posible. Si usted necesita ayuda para traducir o entender este documento en español, llame por favor al 804-646-6314 tan pronto como le sea posible. Usted debe presentar una apelacion por escrito, dentro de los 14 días posteriores a la fecha de este aviso, en caso de que usted crea de que la nota es incorrecta. Si usted no presenta la apelacion dentro de los 14 días, entonces perderá la posibilidad de disputar esta violacion.

Rva Home Llc  
1321 Porter St Apt C  
Richmond Va 23224

Tracking #: 067279 2024  
Inspector: Walter Jackson  
Phone: (804) 385-0703  
Parcel #: 0084539\_S0000121019

Property located at: 1321 Porter St

Building use at time of inspection:

A City of Richmond Property Maintenance Inspector inspected the structure specified above on 4/26/2024. The listed violations of the Virginia Maintenance Code (VMC) 2021 as amended and adopted by the City of Richmond Code Section 5-1 were found to exist. The violations cited must be abated by 4/29/2024 or as specified in the Special Orders included in the attached report.

Upon expiration of the abatement date the structure will be re-inspected for code compliance.

Failure to comply with this Notice may result in legal action and fines of up to \$2,500.00 per violation if convicted (VMC Section 105.6 and VMC Section 105.7). In addition, the City may disallow occupancy, placard the structure, or abate the unsafe condition(s). A lien may be attached to the tax bill for administrative fees and any incurred costs.

You have the right to appeal this notice. Appeals must be made within fourteen (14) days of receipt of this Notice of Violation. A fee shall accompany your appeal. (VMC Section 107.5).

All codes referenced herein are from the Virginia Maintenance Code unless otherwise stated.

If you have questions regarding this Notice of Violation, you should contact me between 8:00 a.m. and 5:00 p.m. at (804) 385-0703.

**Report of Unsafe Conditions**

**106.1 US - Unsafe Structure**

A Existing structure is determined to be unsafe if it (i) determined to by the code official to be dangerous to the health, safety and welfare of the occupants of the structure or the public; (ii) that contains unsafe equipment; or (iii) that is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation that partial or complete collapse is likely.

**This property has been inspected and found to be unsafe due to the following conditions:  
The third-floor addition was constructed without plans, permits, or inspections.**

**These issues pose a safety risk to inhabitants, neighboring structures, and the public at large if not repaired immediately. Consequently, the building is hereby placarded as unsafe.  
As a result of being placarded as unsafe, the property shall remain so until all necessary plans, permits, engineering reports, and inspections have been received, approved, and performed.  
All occupants are required to vacate the premises immediately, and entry to the structure, including by the owner, tenants, contractors, etc., is prohibited until a Right to Enter Letter has been generated by the inspector. Any person(s) entering the premises without the Right to Enter Letter risk arrest for trespassing by the Richmond Police Department.**

**To rectify these violations, follow the "City of Richmond Permit Process" to completion.  
Failure to comply with this notice by the abatement date may result in criminal court action**

If permits are required to correct the conditions cited in this notice, this document or a copy thereof will be needed to obtain them. Permits can be obtained from: Permits and Inspections Division, 900 E. Broad Street, Room 110, Richmond, Virginia 23219

**Additional responsibilities as a property owner:**

Approximately 3,300 properties are in the City Old and Historic District. To determine whether or not your property falls within a City Old and Historic District, go to <http://www.richmondgov.com/richhistory> and click on the link "ViewMap of City Old & Historic Districts".

A *Certificate of Appropriateness* is required when any proposed work alters the exterior appearance of the property as it is viewed from a public street or alley. Certificates must be obtained before work can begin. For work requiring a building permit, no permit will be issued without a Certificate. This review procedure is required not only for the main structure on a lot but also accessory buildings, fences, exterior lighting, driveways and walks, and any other features visible to the public.

As in any review process some preplanning is necessary. Please direct any questions or requests to: Secretary, Commission of Architectural Review, Department of Planning & Development Review, 900 East Broad Street, Richmond, VA 23219.

Sincerely,

Walter Jackson  
(804) 385-0703  
Property Maintenance Inspector



## Resolution

WHEREAS, the Local Board of Building Code Appeals is duly appointed to resolve disputes arising out of enforcement of the Virginia Uniform Statewide Building Code and the BOCA National Property Maintenance Code/1996.

WHEREAS, an appeal has been filed and submitted to board of appeals  
and

WHEREAS, a hearing has been held to consider the aforementioned  
appeal; and

WHEREAS, the board has fully deliberated on this matter; now, therefore,  
be it

RESOLVED, that in the matter of

Appeal No. **HO1-24-067279**

In RE: 1321 Porter St, LLC  
Property Located: 1321 Porter St  
Richmond, VA 23224

The decision of the code official is hereby **Upheld**, for the reasons set out below:

The Local Board of Building Code Appeals finds that the intent of the code was applied and enforced properly by the code official.

**The vote was: Uphold- 3 Reverse- 0 Modify- 0**

Date: 8/21/2024

Signature of Chairman of the Board: \_\_\_\_\_

A handwritten signature in blue ink is written over a horizontal line. The signature is cursive and appears to be the name of the Chairman of the Board.

*"Upon receipt of this resolution, any person who was a party to the appeal may appeal to the State Building Code Technical Review Board by submitting an application to such Board within 21 calendar days."*



**From:** [RVA Home](#)  
**To:** [Luter, Travis \(DHCD\)](#)  
**Subject:** State Review Board  
**Date:** Wednesday, September 11, 2024 4:12:44 PM  
**Attachments:** [4.26.24 Notice of Violation- Unsafe Structure.pdf](#)  
[1321-Porter St- Resolution 8-21-24.pdf](#)  
[appeal-application-may-19-2.pdf](#)

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Good afternoon,

I would like to appeal a 4/29/24 Notice of Violation for Unsafe Structure- 106.1. I am seeking to have the maintenance inspector's decision reversed.

Thank you,  
Sophia Oliveri, property manager  
RVA Home, LLC  
804-437-2227

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Documents Submitted  
by  
RVA Home LLC  
via Sophia Oliveri

(Page left blank intentionally)



Re: 1321 Porter St  
Richmond VA 23224

**Alleged violation being appealed:**

106.1 US- Unsafe Structure

Existing structure is determined to be unsafe if it

- (i) determined to by the code official to be dangerous to the health, safety and welfare of the occupants of the structure or the public;
- (ii) that contains unsafe equipment; or
- (iii) that is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation that partial or complete collapse is likely.

**Reason for the appeal:**

Mr. Jackson did not properly apply the code, which states that a property must adhere to at least one of the above 3 conditions in order to be deemed an unsafe structure. Not only were zero of the above conditions present, but Mr. Jackson and his superiors recklessly chose to ignore 3 structural engineer's reports to contrary, provided by a qualified structural engineering professional.

- (i) David Alley knew that the property was not dangerous to the health, safety, and welfare of the occupants because he was provided 3 letters, with an engineer's seal, stating that there were no structural exceptions or concerns. He knew that 3 members of his staff had determined the residence to be safe 3 days prior to his choice to condemn it, sight unseen. He further knew that the building had been fully & safely occupied for 3 ½ years.
- (ii) There was no unsafe equipment in or on the property
- (iii) Mr. Alley knew that partial or complete collapse was not likely because of the 3 letters, with an engineer's seal, stating that there were no structural exceptions or concerns. Additionally, 3 members of his staff were unable to locate a single "stress indicator", a term used by all of the 5 engineers who performed site visits and agreed that there were none.

Furthermore, the specific reason cited on the violation states, "The property has been inspected and found unsafe due to the following conditions: The 3<sup>rd</sup> floor addition was constructed without plans, permits, or inspections." The status of permitting and other administrative tasks does not, by default, make a structure dangerous and is irrelevant to the scope of Code 106.1 for existing structures. David Alley knew this and that is why the placard was removed after zero plans, permits, and inspections were provided to the department.

While the current owner has begun the retroactive permitting process, the statute in question and the Code of Virginia do not provide grounds for a Maintenance Inspector, or even the Building Commissioner, to deem a structure unsafe on the basis of administrative noncompliance; especially noncompliance on the part of a prior owner. The Code did not allow for Mr. Alley to justify the condemnation of a building by citing his department's ignorance, especially when he had strong evidence to support the contrary.

The property is not unsafe and is not likely to collapse. The Department of Permits and Inspections knew this to be true prior to placarding and condemning the building as an unsafe structure. That is why David Alley removed the placard and admitted that the property was safe for tenants to reenter after no changes were made to the building. We request that Mr. Jackson's decision be reversed.

## **Engineers' Statements and Timeline:**

2/21- A structural engineer of 34 years, Carl Duncan, provided a structural review of the 3<sup>rd</sup> floor and provided a letter with his engineering seal, stating, "no exceptions were noted...work was performed in a good workmanship manner."

2/23/21- As a tenant, I did attempt to apply for a building permit on behalf of the prior owner in 2021 but after a phone conversation with a staff member, I realized that I did not have all of the information prior to applying, nor the appropriate level of expertise, nor availability in my schedule to complete the application and assist. However, I was able to assist with an electrical permit and inspection of the 3<sup>rd</sup> floor, performed by a City of Richmond electrical inspector named Chris, which passed inspection on 2/23/2021. Neither Chris nor Jason Carangelo, Architect & City of Richmond Building Commissioner, are employed with the Department of Permit and Inspections any longer. There was no concern of danger or any degree of collapse voiced by the department in 2021, when they discovered an already built addition.

Knowing that the structure and the electrical were safe, I felt that my personal safety and the safety of the other tenants was not at risk and I did not pursue additional permits as a tenant. I do not and have never disagreed that a permit should have been pulled by the owner in 2020 prior to beginning work.

4/18/24- I received a stop work order for a root cellar that I was 100% responsible for beginning to build in the back yard. When I found out about the stop work order, I called and took personal responsibility, explained that I did not pull a permit because I had previously been told by a staff member that it was not required by Code, and I asked to be referred to the applicable Code. I spoke with 3 staff members who were unable to locate an applicable Code but I told Rick Paul that I would apply for a permit anyway. A week later, he placed a hold on my permit portal account, condemned the building, and evicted all tenants so I was unable to do so.

4/26/24- Deputy Commissioner, Rick Paul, called regarding permits and inspections not found on file from a prior owner. He was provided with the engineer's report from 2/2/21. Though he was informed that an engineer could not sign off on workmanship of a 3<sup>rd</sup> floor addition without consideration for the structural stability of the floors beneath it, Mr. Paul claimed that because the bottom 2 floors were not mentioned in the letter, he had to assume that the structure was unsafe.

Engineer, Carl Duncan, amended the verbiage of his 2/2/21 letter to help Mr. Paul understand that the bottom 2 floors were also structurally sound, and provided the 2<sup>nd</sup> letter, with the engineer's seal, stating, "The work had no structural effect upon the lower 2 floors." Mr. Paul said he would not accept the letter because it contained the engineer's stamp from 2021 and the letter was "not good enough".

Engineer, Carl Duncan, provided a 3<sup>rd</sup> structural engineer's letter with the engineer's seal, dated 4/26/24, stating, "We inspected all the lower levels and into the crawlspace to verify that the 3<sup>rd</sup> floor modifications and framing did not affect the structural integrity of the structure"

On this day, I also began an application for a commercial building permit for the current owner after being told by Rick Paul that I had to and that the building would be condemned if I did not. A staff member voided the application a few days later, as the property does not qualify for a commercial building permit.

Rick Paul said that he needed to see the property to verify that there were no imminent safety risks. When he arrived, he called the police before I even went outside to meet him and he again threatened to condemn the building if I did not let him in.

Walter Jackson, maintenance inspector, Rick Paul, deputy building commissioner, and Donald Drummond, supervisor for all field inspectors, Rashad Gresham, zoning, and a police officer all entered the property, determined it to be safe for occupants, and left the premises.

4/29/24- David Alley spoke with the structural engineer, Carl Duncan, and he was directly told that the building was not dangerous and not at risk of collapse.

Mr. Alley, who is not a structural engineer, sight unseen, directed Mr. Jackson and Mr. Paul to placard and condemn the structure that he knew was not dangerous and not condemnable, and he evicted 3 sets of tenants from their homes. While

placing the placards, Mr. Jackson informed me that the wind in Richmond was as strong as New York City, a strong gust of wind could knock the house down, and that's why they had to remove the residents to protect them.

5/8/24- Architect, Charlie Field, performed a site visit, agreed that there was nothing that led him to believe that the building is structurally unsound, citing a lack of stress indicators or symptoms, including the lack of cracking and buckling in the foundation walls.

5/13/24- Mr. Alley and Mr. Paul decided to trespass on the property for a self-guided tour. Mr. Alley later informed me that the rear single story portion of the building could be occupied but he refused to remove the placard, citing a specific decking post in the rear of the building as the reason for refusing reentry into the front 3 story portion of the building.

5/17/24- A 3<sup>rd</sup> engineer from Engineering Design Associates performed a site visit, also citing no conditions to deem the building structure unsafe or likely to collapse. Structural engineer, Robert Nelson, further reviewed the deck post that Mr. Alley claimed to be the reason the structure warranted condemnation. Mr. Nelson found that the 4x4 post was adequate to support the load above it and reaffirmed Mr. Duncan's initial assessment, that the building was safe for use by residents.

5/21/24- A 4<sup>th</sup> engineer's letter, with an engineer's seal, from Engineering Design Associates, was sent to David Alley. David Alley responded to say that he was on vacation but would "contact [me] for discussion" when he returned. Finding this unacceptable, given that tenants were remove from their homes without cause, I reached out to Deputy Building Commissioner, Rick Paul, who refused to assist, then the Director, Kevin Vonck, who was also out of office, and then to my councilwoman, who attempted to reach Mr. Vonck but was unable to.

5/28/24- After the holiday weekend, the councilwoman's office was able to reach Director Vonck, voicing her concerns after viewing all 4 engineering reports, and 2 sets of tenants were back in their homes 2 hours later. No permitting was done, no changes were made, and David Alley agreed that the property was safe for tenants to reenter, per his 5/28/24 email. I was told by David Alley that I would not be able to return to the unit that I have rented for 10+ years because of a zoning discrepancy.

6/12/24- One week after the owner's manager started the retroactive permitting process per his 5/22/24 email instructions, Rick Paul ambushed me at the local appeals board hearing and issued a court summons to me personally for 108.1, stating that I was doing work on the 3<sup>rd</sup> floor prior to the issuance of a permit in April of 2024, even though he had been inside of the property on 4/26/24 and he knew that no work was being done to the fully rented and occupied building. This is further evidence of blatant government overreach and retaliatory harassment in lieu of law abiding Code enforcement.

9/25/24- I received an envelope from a current tenant. Inside was a new Notice of Violation for 106.1 dated 8/28/24 and postmarked 9/5/24, addressed to the apartment that Mr. Alley forced to be vacated 4 months prior. In addition to being cruel and deceitful in nature, this is clear evidence that the Department of Permits and Inspections knows that the Notice of Violation being appealed is baseless and legally unenforceable. The notice further proves that even when David Alley knows a building is safe for occupants, as he stated in his 5/28/24 email, he is willing to authorize his staff to make threats and take action toward condemnation of a safe structure. It also proves that the department is choosing to harass me and the property owner and to operate well outside of the scope of Building Code, to which it is legally bound.

9/27/24- The building is still standing, occupied, unchanged, and still providing zero indications of being an unsafe structure, per 2 additional structural engineers.



Sophia Oliveri &lt;sophia.s.oliveri@gmail.com&gt;

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**4th Engineer's Report for 1321 Porter St**

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**Alley, David L. - PDR** <David.Alley@rva.gov>

Tue, May 28, 2024 at 2:27 PM

To: Sophia Oliveri &lt;sophia.s.oliveri@gmail.com&gt;

Cc: "Paul, IV. Rick F. - PDR" &lt;Rick.Paul@rva.gov&gt;, "Jackson, Walter E. - PDR" &lt;Walter.Jackson@rva.gov&gt;, "Vonck, Kevin J. - PDR" &lt;Kevin.Vonck@rva.gov&gt;

**Sophia Oliveri,**

**Good Afternoon! I hope today finds you well. Thank you for the Engineer report from Engineer Design Associates (Robert F Nelson). The existing Certificate of Occupancy for the building located at 1321 Porter St is a two family dwelling. I found the report to be sufficient-please see the following conditions.**

- **The existing Certificate of Occupancy for the building located at 1321 Porter St is for a two family dwelling -occupancy shall be re-instated for the 1<sup>st</sup> and 2<sup>nd</sup> floors only.**
- **No other occupancy shall be allowed for the 3<sup>rd</sup> floor or the rear 1<sup>st</sup> floor unit at this time until all permits, inspections and a final Certificate of Occupancy has been issued for a multi-family building.**
- **No un-permitted construction work shall be performed prior to an approved permit from the Permits and Inspections Bureau.**
- **You are authorized to remove the placards.**
- **Failure to comply with above conditions shall result in the Permits and Inspections Bureau taking additional actions as needed.**

**Feel free to contact me directly should you have any other questions or concerns.**

**Best Regards,**



DEPARTMENT OF  
**PLANNING AND  
DEVELOPMENT  
REVIEW**

David L Alley III

Commissioner of Buildings

804-513-6939

david.alley@rva.gov

900 E. Broad St., Room 110, Richmond, Va. 23219-1907

Visit Our Website at: <https://www.rva.gov/planning-development-review/permits-and-inspections>**From:** Sophia Oliveri <sophia.s.oliveri@gmail.com>**Sent:** Wednesday, May 22, 2024 10:25 AM



Sophia Oliveri &lt;sophia.s.oliveri@gmail.com&gt;

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**Re: Notice of Violation- Unsafe Structure**

4 messages

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**Sophia Oliveri** <sophia.s.oliveri@gmail.com>

Wed, May 1, 2024 at 10:39 AM

To: walter.jackson@rva.gov

Mr. Jackson,

On 4/26/24, you were made aware of 2 structural engineering reports, BOTH WITH THE ENGINEER'S SEAL from January 2021, stating that the property at 1321 Porter St in Richmond, VA had been inspected, all work had been performed in a good workmanship manner, and that no exceptions were noted in the framing and structure of all 3 floors of the property. You and Deputy Commissioner Rick Paul were permitted to enter the property and inspect the 3rd floor apartment. In agreement with the structural engineer, you determined that the property was safe and left the premises.

On 4/29/24, you were informed of a third structural engineering report, ALSO WITH THE ENGINEER'S SEAL dated 4/26/24, stating, "We inspected all the lower levels and into the crawlspace to verify that the third-floor modification and framing did not affect the structural integrity of the structure. No exceptions or concerns were noted during our inspection."

You and Mr. Paul knowingly chose to disregard the 3 engineering inspection reports, ALL WITH THE ENGINEER'S SEAL and section 106.1 of the Virginia Maintenance (VMC) Code 2021 and you chose to placard the property as an unsafe structure, informing residents that they would not be permitted to trespass in their own homes.

The description of the alleged violation states, "The property has been inspected and found to be unsafe due to the following conditions: The third-floor addition was constructed without plans, permits, or inspections."

You additionally had actual knowledge that any additions were built prior to 1321 Porter St, LLC's ownership tenure began. Pursuant to Section 104.1.1 of the Virginia Maintenance Code 2021, you may not continue prior enforcement against a new and separate owner.

Your choice to behave in direct contradiction to the very code that you enforce will be taken as harassment.

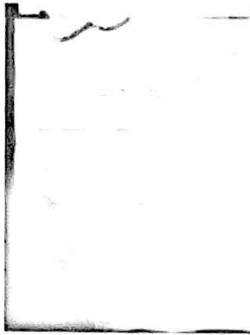
Please be further advised that your choice to disregard the Virginia Maintenance Code has incurred \$5,240.00 in damages as of 5/1/2024.

This is a formal request that you begin to rectify this wrongdoing by removing the placards unlawfully placed on the property at 1321 Porter St. Please give me a call today to schedule a specific time to be granted access to the property in order to remove the placards completely.

## 5 attachments



IMG\_6253.jpeg  
3474K



IMG\_6254.jpeg  
3683K



20-2882 framing inspection-1.pdf  
72K



20-2882 revised framing inspection-1.pdf  
75K



20-2882 framing inspection.pdf  
72K

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Alley, David L. - PDR <David.Alley@rva.gov>  
To: "Jackson, Walter E. - PDR" <Walter.Jackson@rva.gov>, Sophia Oliveri <sophia.s.oliveri@gmail.com>, "Paul, IV. Rick F. - PDR" <Rick.Paul@rva.gov>  
Cc: "Vonck, Kevin J. - PDR" <Kevin.Vonck@rva.gov>

Wed, May 1, 2024 at 12:00 PM

**Ms. Oliveri,**

***Good Afternoon! I have contacted the engineer Mr. Duncan personally and discussed this situation. The engineer reports are not acceptable by the Permits and Inspections Bureau for the following reasons-the engineer had no approved plans issued by the city to perform the inspection and/or our approval to do so. The existing footings and foundations would have to be evaluated to support the additional loads by a Virginia Licensed Engineer with actual documentation submitted along with the building permit. Therefore the structure has been significantly altered and is not safe for occupancy. A building permit shall be submitted with plans to the Permits and Inspections Bureau for the construction work performed and for a change of use from a two-family to a 4 unit multi-family building. No re-occupancy will be allowed until an approved permit has been issued and all inspections have been conducted and completed. Please feel free to contacted me directly should you have any further questions.***

**Thanks!**

**Best Regards,**



DEPARTMENT OF  
**PLANNING AND  
DEVELOPMENT**

David L Alley III  
Commissioner of Buildings

Sophia Oliveri <[sophia.s.oliveri@gmail.com](mailto:sophia.s.oliveri@gmail.com)>**Re: Tracking #067279 2024- 1321 Porter St**

8 messages

Sophia Oliveri <[sophia.s.oliveri@gmail.com](mailto:sophia.s.oliveri@gmail.com)>

Fri, May 10, 2024 at 7:54 AM

To: "Alley, David L. - PDR" <[david.alley@richmondgov.com](mailto:david.alley@richmondgov.com)>

Mr Alley,

The violation cited by Mr. Jackson on 4/29/24 was that the structure at 1321 Porter St was determined to be an unsafe structure. The reason provided was that the "third floor addition was constructed without plans, permits, or inspections" and was posted in spite of his knowledge that "the third floor modifications and framing did not affect the structural integrity of the structure", per the 4/26/24 letter provided by licensed structural engineer, Carl Duncan, with an engineer's seal.

Mr. Duncan, with 34 years of experience as a licensed structural engineer, is more than qualified to make the determination that the property is safe, which he has clearly done on 3 separate occasions, spanning the course of 3 1/2 years. From our conversations, it is my understanding that Mr. Jackson and Mr. Paul have 0 combined years of experience as licensed structural engineers and are not qualified to override the professional assessment of a licensed engineer with their opinions.

Furthermore, Mr. Duncan did not require approved plans issued by the city nor city approval in order to provide a written professional assessment in his field of expertise on 3 separate occasions, and once over the phone with you, when he conveyed to you that the property was not dangerous nor likely to collapse.

This is why, when Mr. Jackson knowingly chose to placard the building, he acted in bad faith. This is also why I formally requested that he remove his placards prior to escalating the matter further.

It is clear that the department of permits and inspections additionally acted in bad faith when they chose to placard the building rather than simply keeping their word. After my initial 9:00 am conversation with Mr. Paul on 4/26, informing me that a prior owner did not pull necessary permits on a third floor addition and that the problem would retroactively need to be rectified, and after reviewing all of the information that I had and that had been collected from the prior owner of the building, I began the application for the commercial building permit that he told me I would need before calling him back around 10:30 am. At that time, he said that he could see that I was acting in good faith and he let me know that he would have to pursue recourse should I not follow through with working toward obtaining the appropriate permits within a 6 month time frame, which seemed reasonable and fair. He then requested that he view the property to be sure that there were no imminent safety risks. He, Mr. Jackson, and Mr. Drummond, the lead inspector for the department, all entered the property on 4/26, determined that there was no safety threat, and left.

On 4/29, the department changed its mind and chose to placard the building and evict all residents.

I have both said and demonstrated that I am willing to bring zoning, plans, and permits up to date and have acted in good faith over the past 2 weeks in order to get those things accomplished.

For the retroactive special use permit, I am currently working on plans with an architect, a survey was performed on Wednesday, I have written the applicant's report, I have a presentation scheduled with the

1 de 11

28/05/2024, 06:52 p.m.

Gmail - Re: Tracking #067279 2024- 1321 Porter St

<https://mail.google.com/mail/u/0/?ik=d078cd3f60&view=pt&search=>

local civic association, and I have been told by both the head of Manchester Alliance and the department of planning and development review that there is nearly a 100% chance that the permit will be issued because 1321 Porter St is one of the few properties that offers affordable housing in Manchester.

I have also trimmed the ivy that was touching the sidewalk, per Mr. Jackson's request.

When I have completed plans, I will request all of the necessary retroactive building permits. I have additionally hired a second engineer who can provide you with further information regarding the footings & foundation of the structure.

I will also give you a call but I wanted to make sure that you had all of the current and intended future efforts in writing first.

I have now put forth a commitment, in good faith, and I am requesting the same from you. If there is a best time for me to call, please let me know.

-Sophia Oliveri  
property manager, 1321 Porter St, LLC  
804-437-2227



- Inbox 143
- Starred
- Snoozed
- Sent 156
- Drafts
- More
- Labels +
- Notes
- Schedules
- More

rick.paul@rva.gov

1 of 5

**Paul, IV. Rick F. - PDR** <Rick.Paul@rva.gov>  
to me, David

Good afternoon,

Please work diligently toward getting your SUP (special use permit) to allow the use of a multifamily building in that zoning district. Once the SUP has been approved continue to work towards getting plans submitted with the building permit application that has been applied for already. Trade permits must also be applied for electrical, plumbing, and mechanical work that was done without the appropriate permits or inspections. Fire alarm and sprinkler permits will more than likely be required.

Mr. Alley will address your request, when he returns back to the office, per his earlier email.

Sincerely,

*Rick Paul, CEO*

Deputy Building Commissioner  
Program and Operations Manager: Inspections  
Department of Planning and Development Review  
Office (804) 646-6604  
Cell (804) 240-9672







Sophia Oliveri &lt;sophia.s.oliveri@gmail.com&gt;

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**4th Engineer's Report for 1321 Porter St**

5 messages

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**Sophia Oliveri** <sophia.s.oliveri@gmail.com>  
To: "Alley, David L. - PDR" <david.alley@richmondgov.com>

Tue, May 21, 2024 at 2:05 PM

Mr. Alley,

Per our conversation Monday, 5/13/24, you stated that you would be comfortable with the back single story portion of the building being re-entered but that you did not feel comfortable granting access to the front 3 story portion of the building until you received load information regarding the 4x4 posts on the back deck, supported by the 6x6 column, beneath the 3rd floor (photo below). I have had another engineer come out and review the deck and posts. Attached is a letter from the engineer, with an engineer's seal, stating that the 3rd floor load is adequately supported, the deck in its entirety is suitable for use by tenants, and that no conditions were observed that require immediate attention or deem the structure to be unsafe.

At this time you have been provided with a 4th engineer's report, with an engineer's seal, stating that the property is safe, structurally sound, and that no exceptions were noted. As the final concern of yours has now been satisfied, I am requesting that the property be released for the first and second floor tenants to re-enter their homes, effective immediately.

-Sophia Oliveri, property manager  
1321 Porter St, LLC  
804-437-2227



Sophia Oliveri &lt;sophia.s.oliveri@gmail.com&gt;

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**9/4/24 Court Summons**

1 message

**Sophia Oliveri** <sophia.s.oliveri@gmail.com>

Wed, Aug 28, 2024 at 10:57 AM

To: Kevin.Vonck@richmondgov.com

Mr. Vonck,

I am contacting you again to request your assistance, but this time on my own behalf. I'd like to request your assistance in getting a summons that was issued to me, by Rick Paul in the building department, withdrawn and dismissed.

On May 22, 2024, Rick Paul sent an email stating, "Please work diligently toward getting your SUP (special use permit) to allow the use of a multifamily building in that zoning district. Once the Sup has been approved, continue to work towards getting plans submitted with the building permit application that has been applied for already."

On May 29, 2024, following the removal of the placard, and reentry of the 2 sets of tenants into their homes, I resigned as temporary emergency manager for 1321 Porter St, LLC.

On June 7, 2024, the current manager submitted an SUP application regarding the non-compliant yard size for R-8 zoning, which, per my conversation with her on August 21, I understand is in the final pass through the attorney's office before being sent to City Council for approval. She has informed David Alley that once the SUP is approved by City Council, she intends to move on to plans and permitting to update the city's records from 2021, per Mr. Paul's instruction.

On June 12, 2024, Rick Paul told officer Jerry Baskette to issue me a summons for code 108.1- working prior to issuance of a permit (attached). When I asked Mr. Baskette what he was issuing a summons for, he told me that he didn't know. He then asked Mr. Paul to provide me with documentation to support his claim. Eventually, Mr Paul gave me 2 notices of violation- one issued to Aly Hawash in January of 2021 and the other issued to 1321 Porter St, LLC on April 24, 2024 (attached). Two days after the issuance of the second notice, on April 26, 2024, Rick Paul, Rashad Gresham, Walter Jackson, Donald Drummond, and a police officer all entered the 3rd floor living space and saw firsthand that no work was being done to the space, which had been rented and occupied for 3 years. It was my understanding that the second notice of violation was proven unsubstantiated at that time.

I did not do any work on the property at 1321 Porter St in 2021 and no one did any work on the property from early 2021-present. I was not the owner of the property in 2021 and in 2024, I am not the owner of the property, and as a direct result of action taken by the building department, I now am not a tenant and not the property manager.

It is unclear to me why Mr Paul decided to serve me with a summons 3 weeks after he provided written instruction and less than one week after he was made aware by the current manager that his instructions were being followed. I am requesting your assistance in getting the summons dismissed and for Rick Paul and David Alley to patiently wait for the completion of the first leg of the process that they set forth, both verbally and in writing.

Mr. Alley also told me on August 21, "Well, if you aren't the owner, we need to change our entire strategy." His use of the word strategy and willingness to admit to strategizing against me is particularly unsettling in light of the fact that the building department has received affirmation of willingness to follow the process no less than a dozen times. If their objective is to work with willing participants toward obtaining up to date records, and not to overstep and mess with people's lives, they don't need a strategy.

Sincerely,

Sophia Oliveri

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**3 attachments**

Mr. Vonck,

Following my 8/28 email to you, I appeared for a court summons on 9/4. Rather than dismissing the frivolous case, an attorney and 3 individuals from the Department of Permits and Inspections stood to request a continuance from the judge. In addition to the personnel redundancy and misuse of City funds, I would like to also point out that this department has chosen to continue to overstep its authority by repeatedly ignoring its own instructions and guidelines. I would further like to draw your attention to their continued harassment of me, the tenants in the property, and the owner.

On the morning of 4/26/24, Rick Paul called me on the phone, requested that retroactive permitting be done on behalf of a prior owner, and there was clear and material agreement. All action taken by the Department of Permits and Inspections following that phone call has been a completely unnecessary and gross misuse of City funds in addition to the gross negligence in placarding the building and the violation of tenant rights.

In bad faith, on 9/5, Walter Jackson, maintenance inspector, mailed a second Notice of Violation for 106.1- Unsafe Structure, to a dwelling unit that he knew to be unoccupied (because David Alley told me that I could not return to my home of 10+ years due to a zoning discrepancy), addressed to the owner, 1321 Porter St, LLC, and to myself personally. At that time, more than 3 months had passed since all of the "required actions to abate violation" had been taken. At the time the notice was written, Mr. Jackson had material knowledge that I am not the owner, not a tenant, not the property manager, and that all of the listed abatement actions had already been taken, yet he chose to send the notice anyway. At this stage, the grossly negligent and retaliatory behaviors of this department can only be taken as harassment. I have now had to put Mr. Jackson on notice twice with regard to harassment.

I am asking you again to please request that Rick Paul, David Alley, and through them, their subordinates, all patiently wait for the completion of the first leg of the permitting process that they clearly provided in May of 2024, both verbally and in writing, and that Mr. Jackson review the email that was sent on 5/28, from David Alley, to you, me, Walter Jackson, and Rick Paul, stating that he found the second engineer's report to be sufficient and granting reentry of 2 sets of tenants into the building, as it was only zoned for 2 families.

As a result of the department's overly forceful behaviors and disregard for the law, the current property manager and the tenants are now concerned for their personal safety as well as their right to privacy and to live their lives without being targets of government overreach, intimidation, and retaliation by the City of Richmond Permits and Inspections Department. Employees of this department have already been spoken to about trespassing on 3 occasions.

I am requesting that the City of Richmond Department of Permits and Inspections cease and desist any and all intimidation, harassment, trespassing, and other harmful behaviors and activities as they pertain to me, RVA Home LLC, the property at 1321 Porter St and its occupants, the owner, 1321 Porter St, LLC, and its manager. I am again requesting that the frivolous summons against me be dismissed. I am also requesting that the Walter Jackson 8/28 Notice of Violation be withdrawn, as it is entirely baseless, per prior written correspondence between myself, Rick Paul, and David Alley, and; more than 3 months after all abatement actions had been taken, it should have never been written or delivered.

Again, if the objective was to work with willing participants toward obtaining up to date records and not to harass, overstep, or cause harm, none of the actions and behaviors of the building department, following my 4/26/24 10:30am phone call with Rick Paul, should have taken place.

-Sophia Oliveri



Sophia Oliveri &lt;sophia.s.oliveri@gmail.com&gt;

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**8/28 Violation Notice- 1321 Porter St**

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Sophia Oliveri &lt;sophia.s.oliveri@gmail.com&gt;

Fri, Sep 27, 2024 at 2:37 PM

To: "ellen.robertson@rva.gov" &lt;ellen.robertson@rva.gov&gt;, "Harris, Gayle E. - City Council" &lt;gayle.harris@rva.gov&gt;, walter.jackson@rva.gov

Councilwoman Robertson and Mr. Jackson,

Councilwoman Robertson, I discussed this situation with Ms. Harris yesterday and I am including you on this email because I know that you have already been assisting the current property manager, Emily, through the permitting process.

Mr. Jackson, yesterday I received your Notice of Violation that was written on 8/28 and mailed out on 9/5 to 1321 Porter St, Apt C, which you knew to be vacant, per actions taken by the Department of Permits and Inspections. With regard to rectifying the violations, I'd like to remind you of the abatement actions that were taken nearly 4 months ago, following your original notice, written 4/26 and delivered on 4/29, that is still in the appeal process:

1. The permit process was started on 6/7, per Rick Paul's 5/22 instruction (attached). I have been informed that any delays in the completion of the Special Use Permit, that Mr. Paul said would need to be completed first, have been on the part of the City of Richmond, not the owner.
2. Further inspections can only be completed following the approval of the Special Use Permit, per Rick Paul's written instruction.
3. A 4th engineer's report was submitted to Building Commissioner, David Alley, on 5/21. On 5/28, after Councilwoman Robertson's office contacted Director Vonck, David Alley wrote an email (attached) to you, me, Rick Paul, and Kevin Vonck, stating that he found the report to be sufficient and he determined the property to be safe for 2 sets of tenants to re-enter their homes per the current 2 family zoning.
4. Please see responses #1 and #3. David Alley found the report from the second structural engineer to be sufficient. I am unaware of any code violations but permitting is being addressed in the order that Mr. Paul indicated on 5/22
5. Please see response #1. A Special Use Permit was applied for on 6/7 by the current manager. All delays in the completion of the permit are due to processes within the City of Richmond, not through any fault of the owner.

Again, all feasible "Required Actions to Abate Violation" were already taken several months in advance of your choice to write the violation notice on 8/28, many of which you were made aware of months ago. Please follow the permitting process, as specified on 5/22 by the department of permits and inspections and please refer to the email that you received on 5/28 to refresh your memory regarding the satisfactory engineer's report, also received by the department of permits and inspections.

Given the written records of abatement from nearly 4 months ago and my email to you on 5/1/24, this is now the second notice that I have had to provide to you regarding harassment. If this notice of violation was an honest mistake, please let me know. If it was not, I will need you to withdraw the entirely baseless second notice of violation and to cease and desist all harassment activity as it pertains to me, RVA Home LLC, the property at 1321 Porter St and its occupants, the owner, 1321 Porter St, LLC, and its manager.

Not only is it abhorrent that 2 tenants were temporarily evicted from their homes without cause and a 3rd 10+ year tenant was permanently removed from their home by the Department of Permits and Inspections due to a zoning discrepancy, but if in fact, your actions were intentional, it was incredibly deceitful and underhanded to send a notice to a dwelling unit that you forced to be vacated, as a means by which to inflict further harm on the remaining tenants and the owner.

-Sophia Oliveri





NOTICE OF VIOLATION - UNSAFE STRUCTURE

Amended

City of Richmond

Department of Planning & Development Review

Property Maintenance Division

900 E. Broad Street, Room G-12

Richmond, Virginia 23219

August 28, 2024

Este documento es un aviso de la Ciudad Richmond notificandole que usted tiene un problema con su casa o propiedad, el cual debe ser corregido a la brevedad posible. Si usted necesita ayuda para traducir o entender este documento en espanol, llame por favor al 804-646-6314 tan pronto como le sea posible. Usted deve presentar una apelacion por escrito, dentro de los 14 dias posteriores a la fecha de este aviso, en caso de que usted crea de que la nota es incorrecta. Si usted no presenta l apelacion dentro de los 14 dias, entonces perdera la posibilidad de disputar esta violacion.

1321 Porter St, LLC & Sophia Oliveri  
1321 Porter St Apt C  
Richmond Va 23224

Tracking #: 067279-2024  
Inspector: Walter Jackson  
Phone: (804) 385-0703  
Parcel #: 0084539\_S0000121019

Property located at: 1321 Porter St

Building use at time of inspection:

A City of Richmond Property Maintenance Inspector inspected the structure specified above on 04/26/2024. The listed violations of the Virginia Maintenance Code (VMC) 2021 as amended and adopted by the City of Richmond Code Section 5-1 were found to exist. The violations cited must be abated by 10/1/2024 or as specified in the Special Orders included in the attached report.

Upon expiration of the abatement date the structure will be re-inspected for code compliance.

Failure to comply with this Notice may result in legal action and fines of up to \$2,500.00 per violation if convicted (VMC Section 105.6 and VMC Section 105.7). In addition, the City may disallow occupancy, placard the structure, or abate the unsafe condition(s). A lien may be attached to the tax bill for administrative fees and any incurred costs.

You have the right to appeal this notice. Appeals must be made within fourteen (14) days of receipt of this Notice of Violation. A fee shall accompany your appeal. (VMC Section 107.5).

All codes referenced herein are from the Virginia Maintenance Code unless otherwise stated.

If you have questions regarding this Notice of Violation, you should contact me between 8:00 a.m. and 5:00 p.m. at (804) 385-0703.

**Report of Unsafe Conditions**

106.1 US - Unsafe Structures

his section shall apply to existing structures which are classified as unsafe. All conditions causing such structures to be classified as unsafe shall be remedied or as an alternative to correcting such conditions, the structure may be vacated and secured against public entry or demolished. Vacant and secured structures shall still be subject to other applicable requirements of this code. Notwithstanding the above, when the code official determines that an unsafe structure constitutes such a hazard that it should be demolished, then the code official shall be permitted to order the demolition of such structures in accordance with applicable requirements of this code.

**This property has been inspected and found to be unsafe due to the following conditions:**

- 1. Lack of Approved Building Permits and Plans:** No approved building permits or plans were ever authorized for the new third-floor addition.
- 2. Lack of Trade Permits:** No approved trade permits were authorized for electrical, plumbing, or mechanical work related to the new third-floor addition.
- 3. Absence of Inspections:** No inspections were ever conducted by the Permits and Inspections Bureau for the new third-floor addition. This includes inspections for building, electrical, plumbing, mechanical, fire stopping, draft stopping, fire separation, and insulation.
- 4. Concealed Interior Work:** All interior work associated with the third-floor addition is concealed, making it impossible to verify compliance with safety and building codes.
- 5. Wall Separation Issues:** Wall separation problems have been identified within the third-floor addition.
- 6. Deficient Engineering Report:** The engineering report submitted by Carl Duncan contains incorrect and insufficient information, failing to meet the required standards for safety and code compliance.
- 7. Non-Code Compliant Alterations to Existing Structures:** Alterations to existing exterior egress, stairs, and decks are not compliant with building codes.
- 8. Non-Code Compliant New Egress Stairs:** The new egress stairs to the third-floor addition are not compliant with safety standards.
- 9. Structural Load Issues (First Floor):** Non-code compliant structural load points are bearing on the roof above the occupied unit on the first floor, creating a potential safety hazard.
- 10. Structural Load Issues (Second Floor):** Non-compliant structural load points are bearing on 4x4 posts above the occupied unit on the second-floor porch area, raising concerns about structural integrity.

**11. Unauthorized Change of Use:** The property's use has been changed from a single-family residence to a multi-family residence with three units without proper authorization or approval (see attached photos of mailboxes).

**Required Actions to Abate Violation:**

**These issues pose a significant safety risk to the inhabitants, neighboring structures, and the public at large.**

**To Rectify These Violations:**

- 1. Follow the "City of Richmond Permit Process" to obtain all necessary approvals, including building, electrical, plumbing, and mechanical permits for the third-floor addition.**
- 2. Ensure that all required inspections are completed by the Permits and Inspections Bureau.**
- 3. Submit a revised and accurate engineering report that meets code requirements.**
- 4. Correct all structural issues and ensure that all alterations comply with building codes.**
- 5. Revert the unauthorized change of use or obtain the necessary approvals for the multi-family conversion.**

**Failure to comply with this notice by the abatement date may result in criminal court action.**

...required to correct the conditions cited in this notice, this document or a copy thereof will be  
...ed to obtain them. Permits can be obtained from: Permits and Inspections Division, 900 E. Broad Street,  
...oom 110, Richmond, Virginia 23219

**Additional responsibilities as a property owner:**

Approximately 3,300 properties are in the City Old and Historic District. To determine whether or not your property falls within a City Old and Historic District, go to <http://www.richmondgov.com/richhistory> and click on the link "ViewMap of City Old & Historic Districts".

A *Certificate of Appropriateness* is required when any proposed work alters the exterior appearance of the property as it is viewed from a public street or alley. Certificates must be obtained before work can begin. For work requiring a building permit, no permit will be issued without a Certificate. This review procedure is required not only for the main structure on a lot but also accessory buildings, fences, exterior lighting, driveways and walks, and any other features visible to the public.

As in any review process some preplanning is necessary. Please direct any questions or requests to: Secretary, Commission of Architectural Review, Department of Planning & Development Review, 900 East Broad Street, Richmond, VA 23219.

Sincerely,

Walter Jackson  
(804) 385-0703  
Property Maintenance Inspector



Documents Submitted  
By  
City of Richmond

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**Table of Contents for 1321 Porter St**  
**Appeal No. 24-08**

Summary

Notice of Violation-Unsafe-2024 (3<sup>rd</sup> floor addition) Appeal  
Notice of Violation/Stop Work Order-2024 (3<sup>rd</sup> floor addition)

Pictures

Engineer Report Original (Carl Duncan)  
Engineer Report Revision 1 (Carl Duncan)  
Engineer Report Revision 2 (Carl Duncan)  
Engineer Report (Robert Nelson)  
Appeals Board Decision  
Appeals Board Minutes

Notice of Violation-2024 (Root Cellar)  
Notice of Violation-2021 (3<sup>rd</sup> floor addition)  
Building Inspectors Statement  
Signed Owner Affidavit (Sophia Oliver)  
2021 Submitted Building Permit Review- (killed-no action)

Parcel Information

Assessor's Record  
Circuit Court Records



## 1321 Porter St Summary

### Previous History

- An existing two-family dwelling-Built in 1921 per the assessors record
- The Permits and Inspections Bureau received a complaint of working without a valid permit on 1/7/2021. Building Inspector Zachary Snyder investigated the complaint and issued a Notice of Violation/Stop Work Order for the construction of a new 3<sup>rd</sup> story addition without permits
- The NOV/SWO was directly handed to the admitted person in charge Sophia Oliveri, building Inspector statement
- A building permit BLDR-084675-2021 was submitted to the permits office on 1/8/2021-description- Add/replace roof plywood, TPO, shingles, windows and rebuild stairs. The submittal didn't address the 3<sup>rd</sup> floor addition. Comments were sent via email to the applicant without response. The submittal was killed after 6 months for no action
- The applicant was Sophia Oliveri, supporting documents available for review. Including owner affidavit signed by Sophia Oliveri as agent

### Case History

- The Permits and Inspections Bureau received another complaint of working without a valid permit on 4/18/2024. Building Inspector Zachary Snyder investigated the complaint and issued a Notice of Violation/Stop Work Order for the construction of a new root cellar in the back yard
- While at the site building inspector Zachary Snyder remembered issuing a previous NOV/SWO for the 3<sup>rd</sup> story addition and wondered if permits were ever issued for the work. City records show that the building permit was not issued
- A follow-up site inspection was scheduled with Sophia Oliveri and conducted on Friday 4/26/2024 by Rick Paul (Program and Operations Manager for Inspections), Walter Jackson (PMCE), Rashad Gresham (Zoning) and Donald Drummond (Field Building Supervisor) I was currently out of the office on vacation. A NOV was issued, and 19 pictures taken

- On the following Monday 4/29/2024 I was informed by Rick Paul (Program and Operations Manager for Inspections) of the situation. I was provided with an engineer report from Carl Duncan dated 2/2/2021. The address on the report was incorrect and the report itself was lacking content.
- I decided to contact Mr. Carl Duncan directly to discuss the report. He was very cooperative-however could not remember much about the project. Since the inspection was conducted back in 2021. I specifically questioned if he evaluated the existing footing and foundations for the additional loads being transferred and/or draft stopping, fire blocking and fire separation, he responded no. I also asked him if any permit and/or approved plans had been provided to him to conduct the inspection or did he obtain any authorization from the Permits and Inspections Bureau prior to conducting the inspection and his response was no! He stated he thought it was a renovation-not new work.

**Based on the previous history and the following facts: I determined the structure to be unsafe for occupancy and ordered the tenants to be relocated immediately for their own safety.**

- New construction of the 3<sup>rd</sup> floor addition
- No approved Building permit and/or plans authorized for the new 3<sup>rd</sup> floor addition.
- No approved trade permits were ever authorized for electrical, plumbing, mechanical work for the new 3<sup>rd</sup> floor addition.
- No inspections were ever conducted by the Permits and Inspections Bureau for the new 3<sup>rd</sup> floor addition for building, electrical, plumbing or mechanical. Including fire blocking, draft stopping, fire separation, insulation and building and zoning finals.
- All interior structural work is concealed
- Wall and ceiling separation problems identified within 3<sup>rd</sup> floor new addition
- Incorrect and Insufficient information provided on the (Carl Duncan) engineer's report, additional information was added to the original report twice.
- Non-code compliant alterations to existing exterior egress stairs and decks
- Non-code compliant new egress stairs to 3<sup>rd</sup> floor addition
- Non-compliant structural load points bearing on roof above the occupied unit on the 1<sup>st</sup> floor

- Non-compliant structural load points bearing on 4x4 post above the occupied unit on the 2nd floor porch area
- Changing the Use without authorization. 2 family to Multifamily. 3 residents, 4 mailboxes  
SUP and Certificate of Occupancy required.

### **Other concerns**

- What other alterations have been conducted in the existing units without permits?
- Why would I believe the work concealed was done any better than the work I can see?
- Why is the owner stalling to apply for the permits, she obviously new about it since 2001 when she was the applicant for the previous owner Aly Hawash. She has been involved with the last 3 transfers of the property from 1321 Porter St LLC (she is agent) to Sophia Oliveri then back to 1321 Porter St LLC.

### **Final Summary**

This case is a prime example of why Permits and Inspections Bureau's exist. To protect the health, safety and welfare of the residents of Virginia from owners like Sophia Oliveri who apparently by her actions-believes she can build whatever she wants with total disregard for her tenants safety, building codes regulations and Zoning Ordinances.

The decision to relocate occupants from their home is never taken lightly, as the building official for the City of Richmond I will always air on the side of caution as necessary.

Note: A second engineer report from Engineer Design Associates (Robert F Nelson) was submitted to me on May 21<sup>st</sup>, I found the report to be sufficient and I have allowed the tenants to reoccupy the 1<sup>st</sup> and 2<sup>nd</sup> floor units only. No occupancy of the 3<sup>rd</sup> floor.

Note: A summons was issued and served for failure to comply, this case is currently active within the courts.

Members of the Board-thank you for your time and consideration.



**NOTICE OF VIOLATION - UNSAFE STRUCTURE**

City of Richmond  
Department of Planning & Development Review  
Property Maintenance Division  
900 E. Broad Street, Room G-12  
Richmond, Virginia 23219  
April 26, 2024

Este documento es un aviso de la Ciudad Richmond notificandole que usted tiene un problema con su casa o propiedad, el cual debe ser corregido a la brevedad posible. Si usted necesita ayuda para traducir o entender este documento en español, llame por favor al 804-646-6314 tan pronto como le sea posible. Usted debe presentar una apelacion por escrito, dentro de los 14 dias posteriores a la fecha de este aviso, en caso de que usted crea de que la nota es incorrecta. Si usted no presenta l apelacion dentro de los 14 dias, entonces perdera la posibilidad de disputar esta violacion.

Rva Home Llc  
1321 Porter St Apt C  
Richmond Va 23224

Tracking #: 067279 2024  
Inspector: Walter Jackson  
Phone: (804) 385-0703  
Parcel #: 0084539\_S0000121019

Property located at: 1321 Porter St

Building use at time of inspection:

A City of Richmond Property Maintenance Inspector inspected the structure specified above on 4/26/2024. The listed violations of the Virginia Maintenance Code (VMC) 2021 as amended and adopted by the City of Richmond Code Section 5-1 were found to exist. The violations cited must be abated by 4/29/202 or as specified in the Special Orders included in the attached report.

Upon expiration of the abatement date the structure will be re-inspected for code compliance.

Failure to comply with this Notice may result in legal action and fines of up to \$2,500.00 per violation if convicted (VMC Section 105.6 and VMC Section 105.7). In addition, the City may disallow occupancy, placard the structure, or abate the unsafe condition(s). A lien may be attached to the tax bill for administrative fees and any incurred costs.

You have the right to appeal this notice. Appeals must be made within fourteen (14) days of receipt of this Notice of Violation. A fee shall accompany your appeal. (VMC Section 107.5).

All codes referenced herein are from the Virginia Maintenance Code unless otherwise stated.

If you have questions regarding this Notice of Violation, you should contact me between 8:00 a.m. and 5:00 p.m. at (804) 385-0703.

**Report of Unsafe Conditions**

**106.1 US - Unsafe Structure**

A Existing structure is determined to be unsafe if it (i) determined to by the code official to be dangerous to the health, safety and welfare of the occupants of the structure or the public; (ii) that contains unsafe equipment; or (iii) that is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation that partial or complete collapse is likely.

**This property has been inspected and found to be unsafe due to the following conditions:  
The third-floor addition was constructed without plans, permits, or inspections.**

**These issues pose a safety risk to inhabitants, neighboring structures, and the public at large if not repaired immediately. Consequently, the building is hereby placarded as unsafe.**

**As a result of being placarded as unsafe, the property shall remain so until all necessary plans, permits, engineering reports, and inspections have been received, approved, and performed.**

**All occupants are required to vacate the premises immediately, and entry to the structure, including by the owner, tenants, contractors, etc., is prohibited until a Right to Enter Letter has been generated by the inspector. Any person(s) entering the premises without the Right to Enter Letter risk arrest for trespassing by the Richmond Police Department.**

**To rectify these violations, follow the "City of Richmond Permit Process" to completion.**

**Failure to comply with this notice by the abatement date may result in criminal court action**

If permits are required to correct the conditions cited in this notice, this document or a copy thereof will be needed to obtain them. Permits can be obtained from: Permits and Inspections Division, 900 E. Broad Street, Room 110, Richmond, Virginia 23219

**Additional responsibilities as a property owner:**

Approximately 3,300 properties are in the City Old and Historic District. To determine whether or not your property falls within a City Old and Historic District, go to <http://www.richmondgov.com/richhistory> and click on the link "ViewMap of City Old & Historic Districts".

A *Certificate of Appropriateness* is required when any proposed work alters the exterior appearance of the property as it is viewed from a public street or alley. Certificates must be obtained before work can begin. For work requiring a building permit, no permit will be issued without a Certificate. This review procedure is required not only for the main structure on a lot but also accessory buildings, fences, exterior lighting, driveways and walks, and any other features visible to the public.

As in any review process some preplanning is necessary. Please direct any questions or requests to: Secretary, Commission of Architectural Review, Department of Planning & Development Review, 900 East Broad Street, Richmond, VA 23219.

Sincerely,

Walter Jackson

(804) 385-0703

Property Maintenance Inspector





**CITY OF RICHMOND**  
 DEPARTMENT OF COMMUNITY DEVELOPMENT  
 BUREAU OF PERMITS AND INSPECTIONS  
 900 EAST BROAD STREET, ROOM 110  
 RICHMOND, VA 23219 (804) 646-6955

**Notice of Violation**

**Stop Work Order**

Issue Date: 4/24/2024 Date of Inspection: 4/4/2024

Location: 1221 PORTER ST

Owner: 1221 PORTER ST LLC

Responsible Party: SOPHIA OLIVERI

Contractor's Name: -

Permit Holder: NO ACTIVE PERMITS

Specific Work Being Cited: AFTER 3<sup>RD</sup> STORY NEW CONSTRUCTION STOP WORK ORDER ISSUED ON 1/7/2021, PERMIT WAS APPLIED FOR BUT KILLED AFTER NO ACTION TAKEN. 3<sup>RD</sup> STORY CONSTRUCTION CONTINUED AND IS NOW COMPLETED WITHOUT ANY ACTIVE PERMITS OR INSPECTIONS BUILDING IS OCCUPIED BY FOUR SEPARATE TENANTS/UNITS MAKING IT A COMMERCIAL WHILE PERMITS RES

This building has been inspected and the following violations of the Code of Virginia, Title 36, The Virginia Uniform Statewide Building Code and the Code of the City of Richmond have been found:

- Section 110.5 of the Virginia Uniform Statewide Building Code - Working without a valid permit posted
- Section 108.1 of the Virginia Uniform Statewide Building Code - Working prior to the issuance of a building permit
- Section 109.5 of the Virginia Uniform Statewide Building Code - Failure to have approved construction plans available on site
- Section 113.3 of the Virginia Uniform Statewide Building Code - Failure to obtain inspections
- Section 14-81 of the Code of Ordinances of the City of Richmond: Working without a contractor's license
- Section 114-930.6 of the Code of Ordinances of the City of Richmond: Certificate of Appropriateness
- Other: \_\_\_\_\_

All activities involved in the work cited above must cease immediately. Permitted activities not involved in the cited work above may continue as long as they do not conceal or otherwise affect the work cited above. Correction of all of the above conditions shall be made by 5/8/2024. If the notice is not complied with, the property owner, his agent, permit holder and/or contractor shall be subject to the penalties prescribed in the Code of Virginia, Title 36-Section 106; Section 105 of the Virginia Uniform Statewide Building Code and Ordinances of the City of Richmond. The following action shall be taken before any work resumes:

- Obtain a Building Permit
- Obtain an Electrical Permit
- Obtain a Mechanical Permit
- Obtain a Plumbing Permit
- Obtain a Plumbing/Gas Permit
- Obtain a report by a registered Virginia professional engineer
- Post valid permit on site
- Keep approved plans on site and available for inspectors
- Obtain C.A.R. Approval
- Other: \_\_\_\_\_

Inspector: ZACHARY SANDER Telephone No.: 804 658 6447

A fee payment of \$200 is required *before* you may return to work on any permit for which a Stop Work Order has been issued. You have the right to appeal this notice under Section 119 of the Virginia Uniform Statewide Building Code. Please contact us, (804) 646-6955, if you wish to appeal this decision.



1321 Porter St - Front

Existing Front section of 3rd Floor

1321 Porter St-Front

Pictures were taken by Walter Jackson  
Property Maintenance Inspector



Placard and Posting

Pictures were taken by Walter Jackson  
Property Maintenance Inspector

1321 Porter St - Hand delivered Unsafe Notice of Violation



Pictures were taken by Walter Jackson  
Property Maintenance Inspector

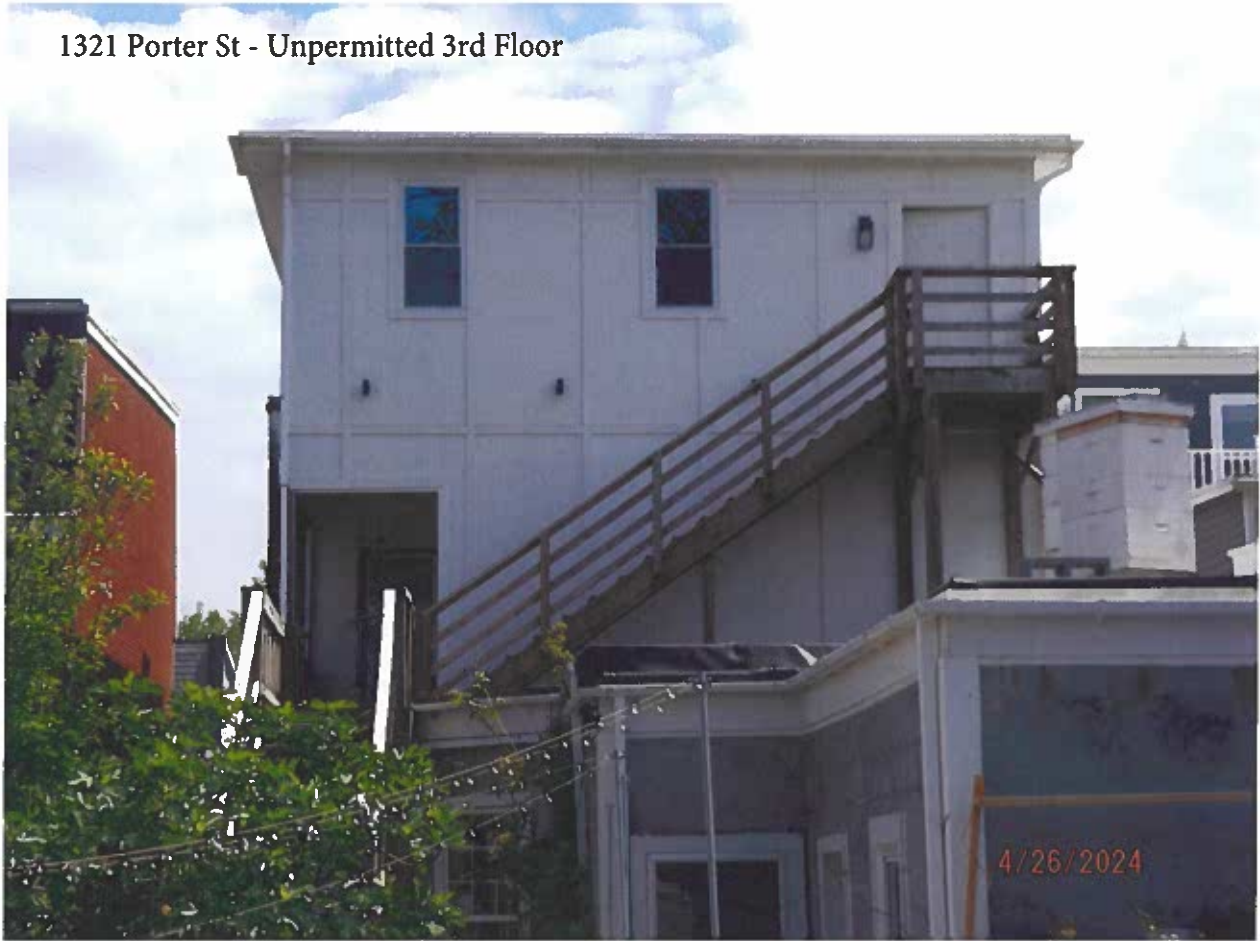




Pictures were taken by Walter Jackson Property Maintenance Inspector

New 3rd floor and Stairs

1321 Porter St - Unpermitted 3rd Floor



Pictures were taken by Walter Jackson  
Property Maintenance Inspector



Ceiling/wall separation within 3rd floor addition structural work concealed.

Pictures were taken by Walter Jackson Property Maintenance Inspector



Pictures were taken by Walter Jackson  
Property Maintenance Inspector



**1321 Porter St - First Floor Addition**



No records of rear addition being permitted

Pictures were taken by Walter Jackson  
Property Maintenance Inspector

1321 Porter St - Duplex meters



Pictures were taken by Walter Jackson  
Property Maintenance Inspector



Improperly Installed vertical and horizontal supports

Pictures were taken by Walter Jackson Property Maintenance Inspector





Pictures were taken by Walter Jackson Property Maintenance Inspector



Pictures were taken by Walter Jackson  
Property Maintenance Inspector



Pictures were taken by Walter Jackson  
Property Maintenance Inspector

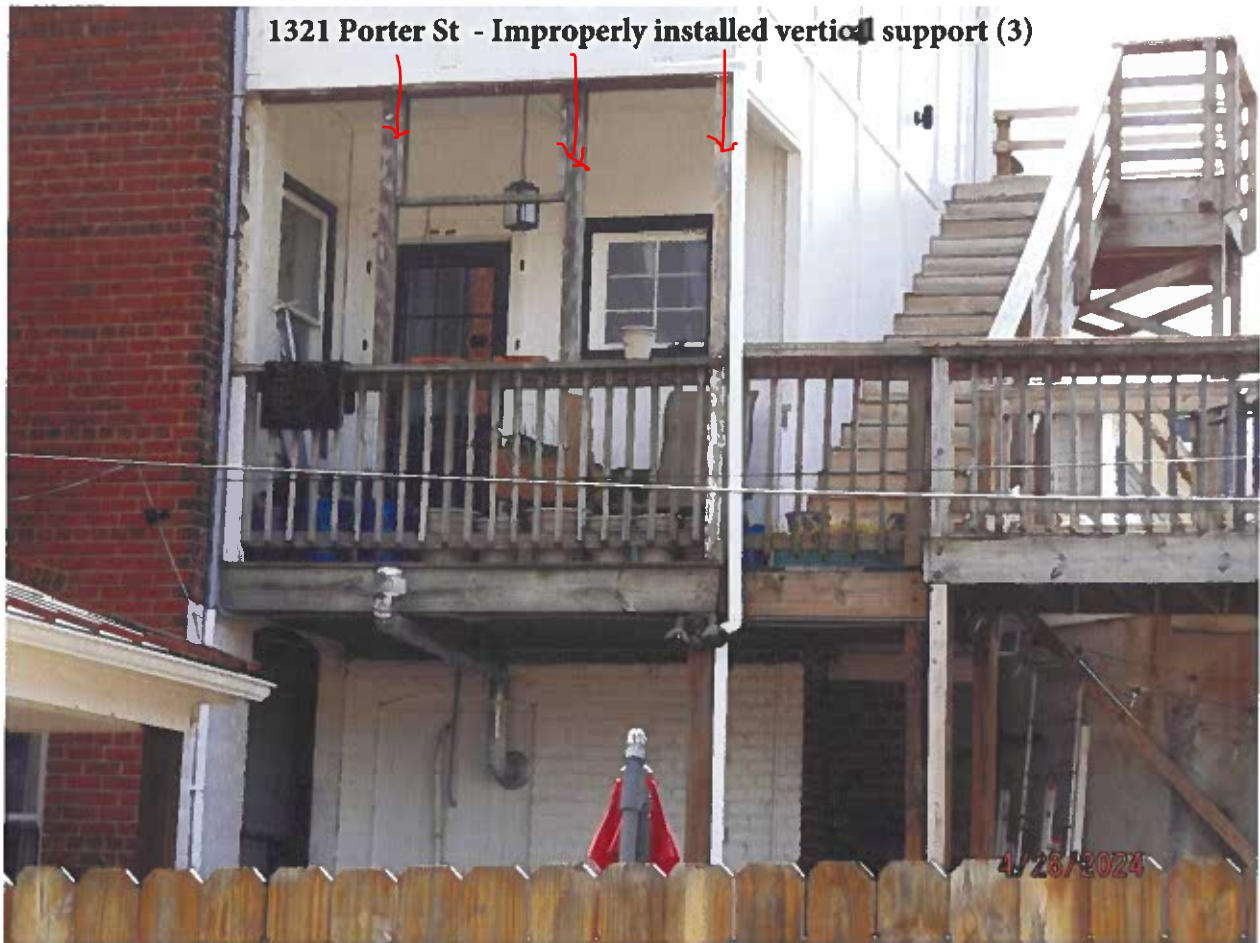




1321 Porter St - Improperly installed vertical support (4)

4/26/2024

Pictures were taken by Walter Jackson Property  
Maintenance Inspector



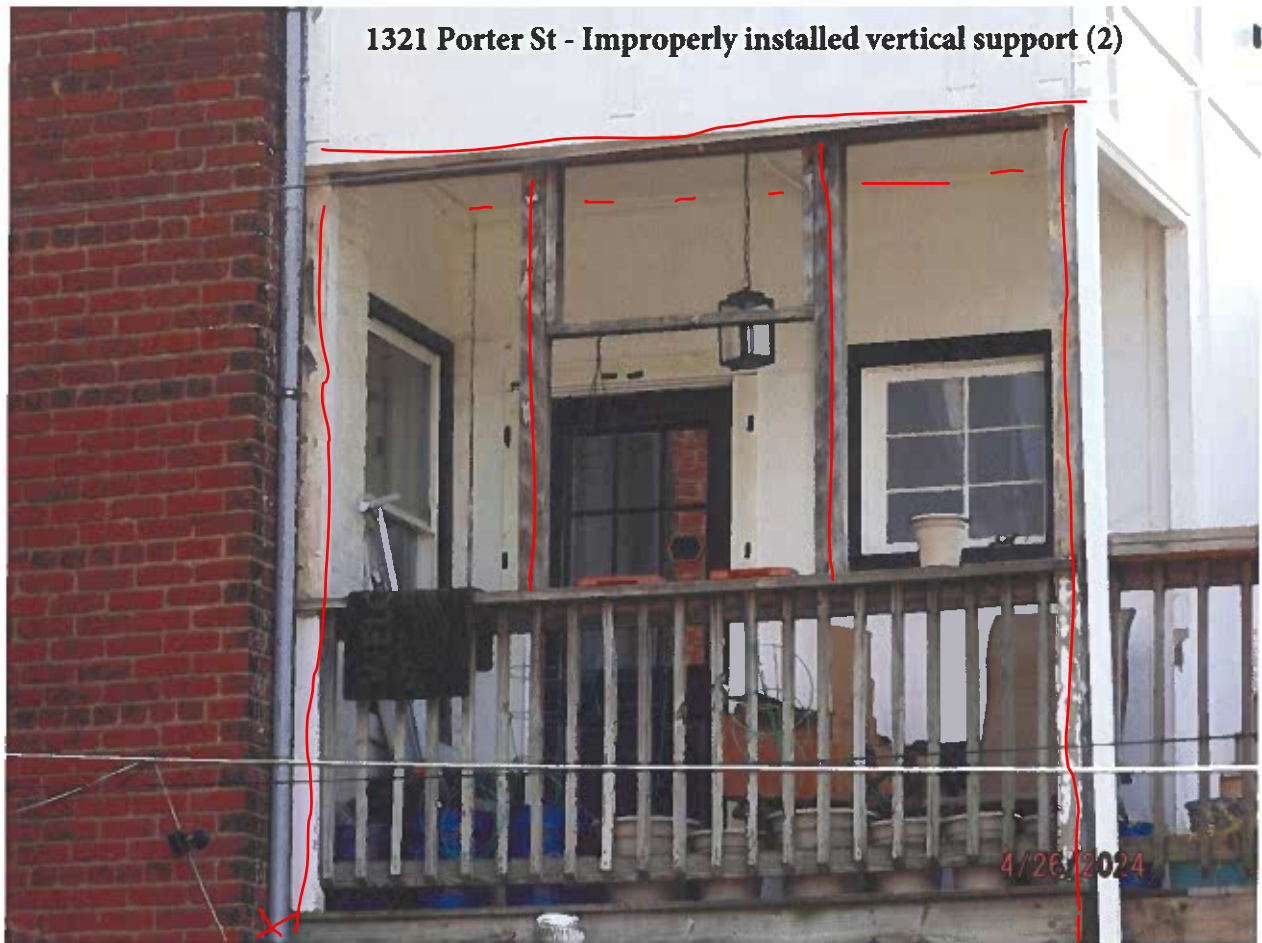
1321 Porter St - Improperly installed vertical support (3)

Concealed 3rd floor cantilevered floor joists above 2nd floor porch supporting 3rd floor- loads appear to be transfered to the existing 4x4 post

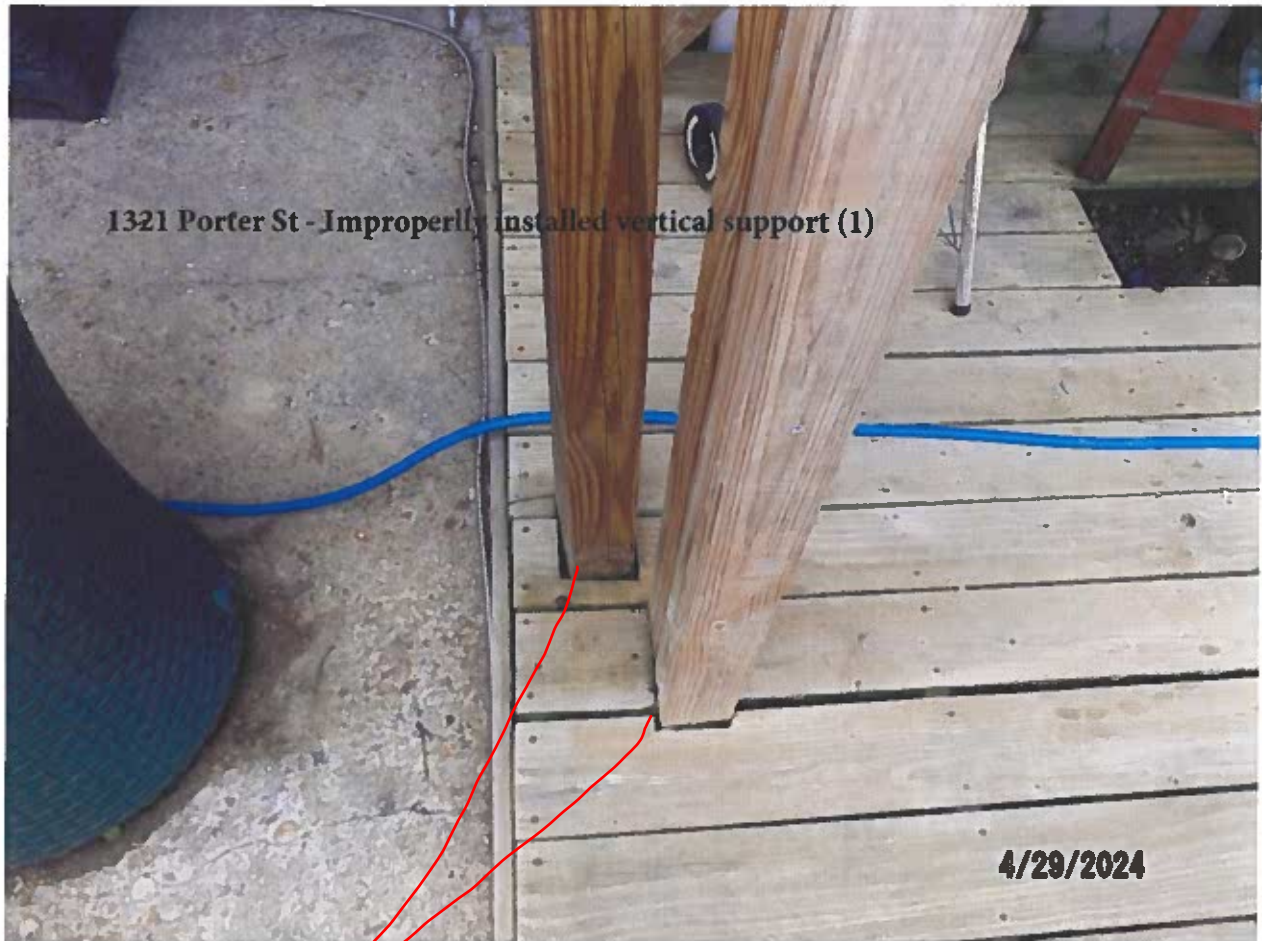
Pictures were taken by Walter Jackson Property Maintenance Inspector



3rd floor loads transfered to porch header



Pictures were taken by Walter Jackson  
Property Maintenance Inspector



No post connections to slab

Pictures were taken by Walter Jackson  
Property Maintenance Inspector



4 Mail Boxes

Pictures were taken by Walter Jackson Property Maintenance Inspector

C. E. Duncan & Associates, Inc.

2609 Rocky Oak Road  
Powhatan, Virginia 23139  
(804) 598-8240

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February 2, 2021

Sophia Blystone  
1321 Porter Street, Apt A  
Richmond, VA. 23224

RE: Third floor addition

Dear Sophia,

This letter is to confirm that we inspected the framing for the third floor addition at 1312 Porter Street. No exceptions were noted with the framing. The work was performed in a good workmanship manner.

Sincerely,



Carl E. Duncan, P.E., L.S.



C. E. Duncan & Associates, Inc.

2609 Rocky Oak Road  
Powhatan, Virginia 23139  
(804) 598-8240

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February 2, 2021

Sophia Blystone  
1321 Porter Street, Apt A  
Richmond, VA. 23224

RE: Third floor addition

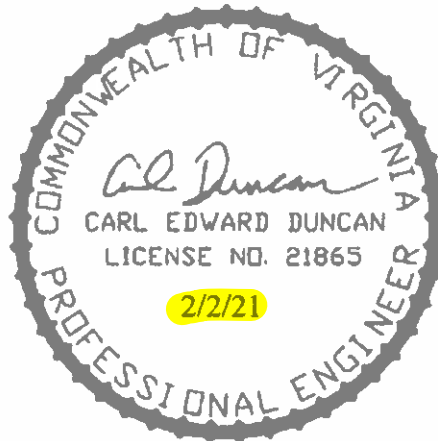
Dear Sophia,

This letter is to confirm that we inspected the framing for the third floor addition at 1312 Porter Street. No exceptions were noted with the framing. The work was performed in a good workmanship manner. The work has no structural effect upon the lower 2 floors.

Sincerely,



Carl E. Duncan, P.E., L.S.





# C. E. Duncan & Associates, Inc.

2609 Rocky Oak Road  
Powhatan, Virginia 23139  
(804) 598-8240

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April 26, 2024

Sophia Blystone  
1321 Porter Street, Apt A  
Richmond, VA. 23224

RE: Third floor addition

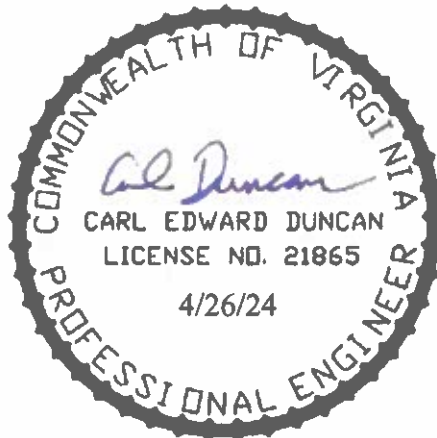
Dear Sophia,

This letter is to confirm that we inspected the framing for the third floor addition at 1321 Porter Street. No exceptions were noted with the framing. The work was performed in a good workmanship manner. The work has no structural effect upon the lower 2 floors. We inspected all the lower levels and into the crawlspace to verify that the third floor modification and framing did not affect the structural integrity of the structure. No exceptions or concerns were noted during our inspection.

Sincerely,



Carl E. Duncan, P.E., L.S.



# ENGINEERING DESIGN ASSOCIATES

5625 S Laburnum Ave  
Richmond, Virginia 23231  
(804) 236-0190  
FAX (804) 236-0194

P. O. Box 515  
Wicomico Church, Virginia 22579  
(804) 580-2227  
FAX (804) 580-3334

May 21, 2024

Sophia Oliveri  
1321 Porter St  
Richmond, VA 23224

RE: 1321 Porter St  
Rear Deck – Structural Review

Dear Sophia:

At your request, I met you at the residence referenced above on May 17, 2024 to complete a structural review of the existing deck off the rear of the building. The deck has been inspected by a city official who raised concerns about its structural integrity and if it is safe for use. It is my understanding they requested you have it reviewed by a structural engineer, specifically where the third floor of the main building cantilevers and is supported by a 4x4 corner post at the second level and 6x6 below at the first level. The 4x4 post supports the ends of one beam that carries approximately 5' of floor load and another beam that carries a portion of roof load. Given the applied loading, the 4x4 post supports a total load of approximately 2.6 kips. The 4x4 and 6x6 are adequate to support this load.

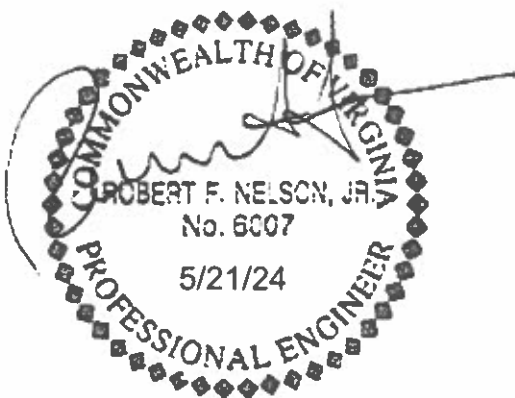
Upon my review of the entire deck structure, I do have several concerns such as adequate size of girders and lateral stability which should be addressed in a timely manner. I did not observe any conditions that I feel require immediate attention or deem the deck unsafe for continued limited use. You have asked us to review it in its entirety and provide plans for repair and reinforcing of the existing structure as needed. For the immediate future, until our plans are provided and suggested repairs can be completed, I feel the deck is suitable for continued use by the few residents as an entry/exit to/from the second and third floors.

Thank you for consulting with us regarding this matter. Please let me know if you have any questions in these regards.

Sincerely,



Taylor Cole, EIT  
Engineering Design Associates





**Notice of Violation**

**Stop Work Order**

Issue Date: 4/18/2024 Date of Inspection: 4/18/2024

Location: 1221 PORTER ST

Owner: 1221 PORTER ST LLC

Responsible Party: OWNER

Contractor's Name: -

Permit Holder: NO ACTIVE PERMITS

Specific Work Being Cited: CONSTRUCTION OF NEW UNDERGROUND STRUCTURE IN THE REAR OF PROPERTY. STRUCTURE IS APPROXIMATELY 7-8 FEET IN DEPTH BELOW GRADE WITH CMU WALLS FULLY GROUTED AND IS ABOUT 12 FT X 12 FT IN SIZE.

This building has been inspected and the following violations of the Code of Virginia, Title 36, The Virginia Uniform Statewide Building Code and the Code of the City of Richmond have been found:

- Section 110.5 of the Virginia Uniform Statewide Building Code - Working without a valid permit posted
- Section 108.1 of the Virginia Uniform Statewide Building Code - Working prior to the issuance of a building permit
- Section 109.5 of the Virginia Uniform Statewide Building Code - Failure to have approved construction plans available on site
- Section 113.3 of the Virginia Uniform Statewide Building Code - Failure to obtain inspections
- Section 14-81 of the Code of Ordinances of the City of Richmond: Working without a contractor's license
- Section 114-930.6 of the Code of Ordinances of the City of Richmond: Certificate of Appropriateness
- Other: \_\_\_\_\_

All activities involved in the work cited above must cease immediately. Permitted activities not involved in the cited work above may continue as long as they do not conceal or otherwise affect the work cited above. Correction of all of the above conditions shall be made by 5/3/2024. If the notice is not complied with, the property owner, his agent, permit holder and/or contractor shall be subject to the penalties prescribed in the Code of Virginia, Title 36-Section 106; Section 105 of the Virginia Uniform Statewide Building Code and Ordinances of the City of Richmond. The following action shall be taken before any work resumes:

- Obtain a Building Permit
- Obtain an Electrical Permit
- Obtain a Mechanical Permit
- Obtain a Plumbing Permit
- Obtain a Plumbing/Gas Permit
- Obtain a report by a registered Virginia professional engineer
- Post valid permit on site
- Keep approved plans on site and available for inspectors
- Obtain C.A.R. Approval
- Other: \_\_\_\_\_

Inspector: ZACHARY SNYDER Telephone No.: 804 688 6447

A fee payment of \$200 is required *before* you may return to work on any permit for which a Stop Work Order has been issued. You have the right to appeal this notice under Section 119 of the Virginia Uniform Statewide Building Code. Please contact us, (804) 646-6955, if you wish to appeal this decision.



**City of Richmond**  
**Department of Planning and Development Review**  
**Bureau of Permits and Inspections**  
**900 East Broad Street Room 110**  
**Richmond, VA 23219 (804) 646-4169**

**Notice of Violation**

**Stop Work Order**

Issue Date: 1/7/2021 Date of Inspection: 1/7/2021

Location: 1321 PORTER ST

Owner: -

Responsible Party: OWNER

Contractor's Name: -

Permit Holder: NONE

Specific Work Being Cited: CONSTRUCTION OF NEW 3<sup>RD</sup> STORY ADDITION

This building has been inspected and the following violations of the Code of Virginia, Title 36, The Virginia Uniform Statewide Building Code and the Code of the City of Richmond have been found:

- Section 110.5 of the Virginia Uniform Statewide Building Code- Working without a valid permit posted
- Section 108.1 of the Virginia Uniform Statewide Building Code- Working prior to the issuance of a building permit
- Section 109.5 of the Virginia Uniform Statewide Building Code - Failure to have approved construction plans available on site
- Section 113.3 of the Virginia Uniform Statewide Building Code - Failure to obtain inspections
- Section 14-81 of Chapter 14 - City of Richmond Ordinances: Working without a contractor's license
- Section 114-930.6 of the Code of Ordinance of the City of Richmond: Certificate of Appropriateness
- Other \_\_\_\_\_

All activities involved in the work cited above must cease immediately. Permitted activities not involved in the cited work above may continue as long as they do not conceal or otherwise affect the work cited above. Correction of all of the above conditions shall be made by 1/15/2021. If the notice is not complied with, the property owner, his agent, permit holder and/or contractor shall be subject to the penalties prescribed in the Code of Virginia, Title 36-Section 106; Section 105 of the Virginia Uniform Statewide Building Code and Ordinances of the City of Richmond. The following action shall be taken before any work resumes:

- Obtain a Building Permit
- Obtain an Electrical Permit
- Obtain a Mechanical permit
- Obtain a Plumbing Permit
- Obtain a Plumbing/Gas Permit
- Obtain a report by a registered Virginia professional engineer
- Post valid permit on site
- Keep approved plans on site and available for inspectors
- Obtain C. A. R. (Commission of Architectural Review) approval
- Other \_\_\_\_\_

Inspector: ZACHARY SNYDER Telephone No. 804 658 6447

A fee payment of \$200 is required *before* you may return to work on each permit for which a Stop Work Order has been issued. You have the right to appeal this notice under Section 119 of the Virginia Uniform Statewide Building Code. Please contact us, 804 646-4169, if you wish to appeal this decision.

## Alley, David L. - PDR

---

**From:** Snyder, Zachary C. - PDR  
**Sent:** Wednesday, June 12, 2024 8:21 AM  
**To:** Alley, David L. - PDR  
**Subject:** 1321 Porter St

To who it may concern,

I; Zachary Snyder City of Richmond Building Inspector, issued a NOV/SWO to Sofia Oliveri on January 7<sup>th</sup> 2021. The NOV/SWO was handed directly to Sofia Oliveri on the side of the Residence while Contractors were still working on the addition to the 3<sup>rd</sup> Floor.

Zachary Snyder  
Building Code Enforcement Inspector 1



City of Richmond  
Department of Planning and Development Review  
900 East Broad Street, Room 110  
Richmond, Virginia 23219  
Cell: 804-658-6447  
[Zachary.Snyder@RichmondGov.com](mailto:Zachary.Snyder@RichmondGov.com)  
[Zachary.Snyder@RVAGov.com](mailto:Zachary.Snyder@RVAGov.com)



## Owner Affidavit

### City of Richmond

Department of Planning & Development Review  
Permits & Inspections

Signing this affidavit acknowledges that you, as the owner or lessee of the property, are familiar with the licensure requirements of §54.1-1111 of the Code of Virginia and that you are not conducting activities as a contractor, subcontractor or owner developer.

I hereby affirm that under the provisions of Title 54.1-1101 of the Code of Virginia, I am not subject to licensure as a contractor or subcontractor. By this affidavit I assume full responsibility for completion of the proposed work in accordance with all applicable building codes and law. I also understand it is a violation of State Law to knowingly hire an unlicensed contractor.

Printed Name Sophia Oliveri, manager, agent Date 1.8.21

Signature Sophia Oliveri, manager, agent

NEW PLAN

- Summary
- Details
- Location
- Additional info
- Wizards
- Linked Records
- Notes (7)
- Contacts (4)
- Fees (4)
- Plan Click
- Bonds

<p><b>AH</b> <b>Hewash, Aly</b> ID-000061244</p> <p><b>Owner</b></p> <p>Phone 1321 Porter St Richmond, VA 23224</p> <p>Email Main address</p> <p>1321 Porter St Richmond, VA 23224</p> <p>Title</p> <p>Billing Contact</p>	<p><b>None Designated</b> ID-000006509</p> <p><b>Mechanical</b></p> <p>Phone Main address</p> <p>Email Per § 108.5 - 2021 VA Residential Code</p> <p>Title</p> <p>Billing Contact</p>	<p><b>S0</b> <b>Oliveri, Sophia</b> ID-060041925</p> <p><b>Applicant</b></p> <p>Mobile Phone (804) 437-3227</p> <p>Email sophia.oliveri@gmail.com</p> <p>Main address 1321 Porter St Richmond, VA 23224</p> <p>Title</p> <p>Billing Contact</p>	<p><b>owner - contractor</b> 999999911-114</p> <p><b>Contractor</b></p> <p>Other Phone (000) 000-0000</p> <p>Email Main address</p> <p>Title DO NOT CHANGE THIS CONTACT - KA...</p> <p>Billing Contact</p>
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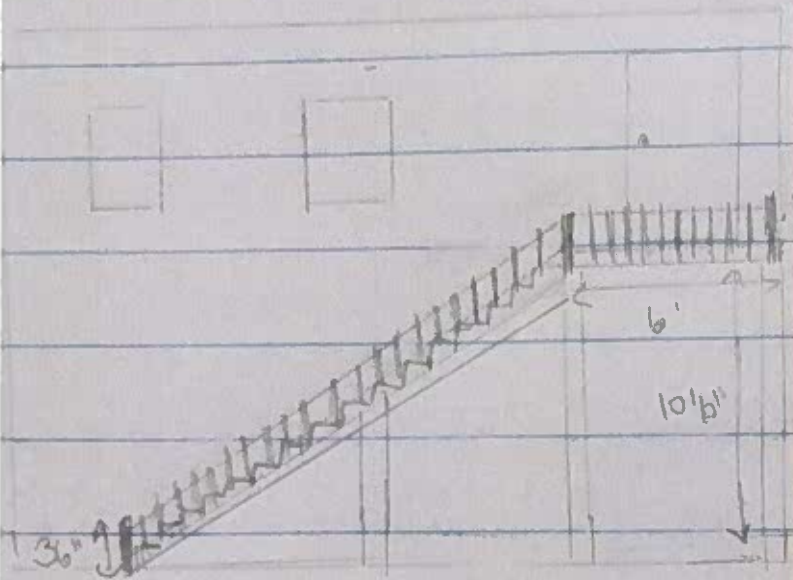
owner



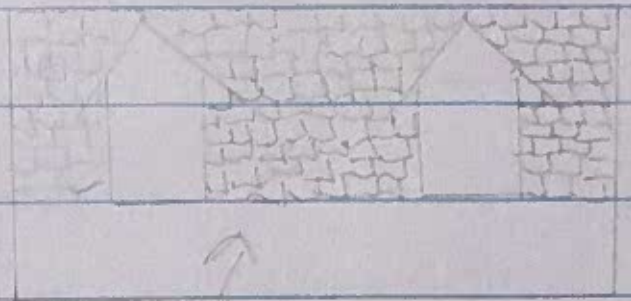
Applicant



# Stairs



16 steps run- 10" rise 7.65"

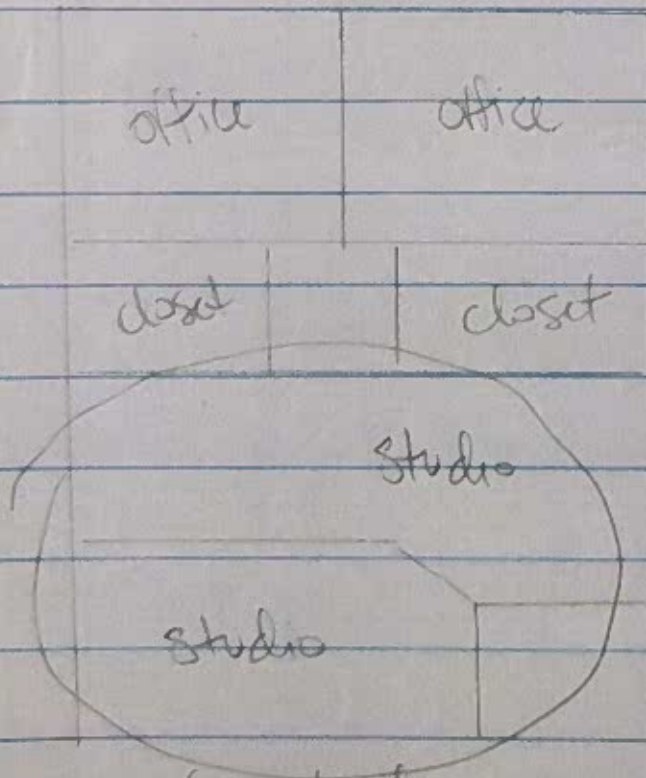


front facade- replace  
slate with shingles

Please submit a construction details for the proposed stairs, landing footing.

Please submit dimensions for the proposed roof area, is this a replacement of an existing roof? or are you proposing new walls, an addition? vertical expansion?

Please submit pictures of existing conditions.



roof extending over  
this space - covered  
with tpo

Property: 1321 Porter St Parcel ID: S0000121019

**Parcel**

**Street Address:** 1321 Porter St Richmond, VA 23224-  
**Owner:** 1321 PORTER ST LLC  
**Mailing Address:** 9169 W STATE ST # 652, GARDEN CITY, ID 83714  
**Subdivision Name :** NONE  
**Parent Parcel ID:**  
**Assessment Area:** 352 - Bainbridge/Manchester/Blackwell North  
**Property Class:** 161 - R Two Family Converted  
**Zoning District:** R-8 -  
**Exemption Code:** -

**Current Assessment**

**Effective Date:** 01/01/2024  
**Land Value:** \$108,000  
**Improvement Value:** \$382,000  
**Total Value:** \$490,000  
**Area Tax:** \$0  
**Special Assessment District:** None

**Land Description**

**Parcel Square Feet:** 4693.2  
**Acreage:** 0.108  
**Property Description 1:** 0030.00X0156.44 0000.000  
**State Plane Coords( ?):** X= 11788158.000003 Y= 3715314.513148  
**Latitude:** 37.52184448 , **Longitude:** -77.44733661

**Description**

**Land Type:** Residential Lot A  
**Topology:** Level  
**Front Size:** 30  
**Rear Size:** 156  
**Parcel Square Feet:** 4693.2  
**Acreage:** 0.108  
**Property Description 1:** 0030.00X0156.44 0000.000  
**Subdivision Name :** NONE  
**State Plane Coords( ?):** X= 11788158.000003 Y= 3715314.513148  
**Latitude:** 37.52184448 , **Longitude:** -77.44733661

**Other**

**Street improvement:** Paved  
**Sidewalk:** Yes

**Planning**

**Master Plan Future Land Use:** NH-MU  
**Zoning District:** R-8 -  
**Planning District:** Old South  
**Traffic Zone:** 1172  
**City Neighborhood Code:** MNCH  
**City Neighborhood Name:** Manchester  
**Civic Code:** 3009  
**Civic Association Name:** Manchester Alliance  
**Subdivision Name:** NONE  
**City Old and Historic District:**  
**National historic District:** Manchester Residential and Commercial  
**Neighborhoods in Bloom:**  
**Redevelopment Conservation Area:** Old Manchester (Southern Gateway)

**Economic Development**

**Care Area:** -  
**Enterprise Zone:**

**Environment**

**100 YEAR Flood Plain Flag:** Contact the Water Resources Division at 646-7586.  
**500 YEAR Flood Plain Flag:** N  
**Resource Protection Flag:** Contact the Water Resources Division at 646-7586.  
**Wetland Flag:** N

**Census**

Census Year	Block	Block Group	Tract
2000	1001	0603001	060300
1990	217	0603002	060300

**Schools**

**Elementary School:** Blackwell  
**Middle School:** River City  
**High School:** Armstrong

**Public Safety**

**Police Precinct:** 1  
**Police Sector:** 112  
**Fire District:** 13  
**Dispatch Zone:** 160A

**Public Works Schedules**

**Street Sweep:** TBD  
**Leaf Collection:** TBD  
**Refuse Collection:** Tuesday  
**Bulk Collection:** TBD

**Government Districts**

**Council District:** 6  
**Voter Precinct:** 611  
**State House District:** 79  
**State Senate District:** 14  
**Congressional District:** 4

**Extension 1 Details**

**Extension Name:** R01 - Residential record #01  
**Year Built:** 1921  
**Stories:** 3  
**Units:** 0  
**Number Of Rooms:** 9  
**Number Of Bed Rooms:** 2  
**Number Of Full Baths:** 2  
**Number Of Half Baths:** 0  
**Condition:** normal for age  
**Foundation Type:** Full Crawl  
**1st Predominant Exterior:** Brick  
**2nd Predominant Exterior:** N/A  
**Roof Style:** Flat or Shed  
**Roof Material:** Comp sh to 235#  
**Interior Wall:** Drywall  
**Floor Finish:** Softwood-standard  
**Heating Type:** Forced hot air  
**Central Air:** Y  
**Basement Garage Car #:** 0  
**Fireplace:** N  
**Building Description (Out Building and  
Yard Items) :**

**Extension 1 Dimensions**

**Finished Living Area:** 4515 Sqft  
**Attic:** 0 Sqft  
**Finished Attic:** 0 Sqft  
**Basement:** 0 Sqft  
**Finished Basement:** 0 Sqft  
**Attached Garage:** 0 Sqft  
**Detached Garage:** 0 Sqft  
**Attached Carport:** 0 Sqft  
**Enclosed Porch:** 0 Sqft  
**Open Porch:** 212 Sqft  
**Deck:** 0 Sqft



Property Images

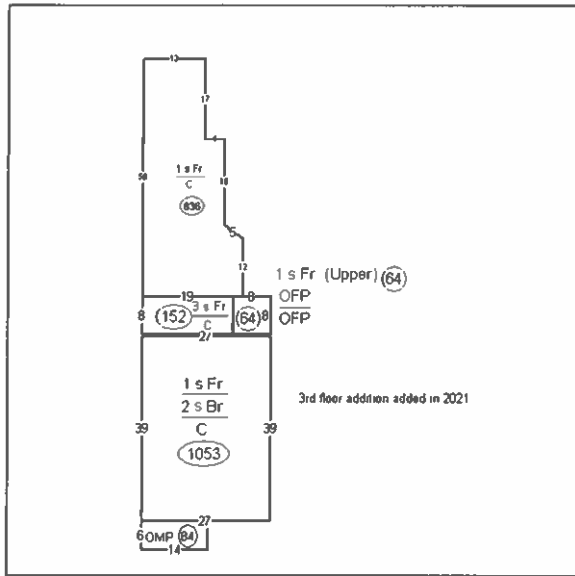
Name:S0000121019 Desc:R01



[Click here for Larger Image](#)

Sketch Images

Name:S0000121019 Desc:R01



**Assessments**

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2024	\$108,000	\$382,000	\$490,000	Reassessment
2023	\$88,000	\$374,000	\$462,000	Reassessment
2022	\$88,000	\$347,000	\$435,000	Reassessment
2021	\$49,000	\$253,000	\$302,000	Reassessment
2020	\$35,000	\$260,000	\$295,000	AdminCorrect
2019	\$35,000	\$176,000	\$211,000	Reassessment
2018	\$28,000	\$170,000	\$198,000	Reassessment
2017	\$28,000	\$159,000	\$187,000	Reassessment
2016	\$28,000	\$86,000	\$114,000	Reassessment
2015	\$28,000	\$86,000	\$114,000	Reassessment
2014	\$28,000	\$86,000	\$114,000	Reassessment
2013	\$28,000	\$86,000	\$114,000	Reassessment
2012	\$28,000	\$101,000	\$129,000	Reassessment
2011	\$28,000	\$105,000	\$133,000	CarryOver
2010	\$28,000	\$105,000	\$133,000	Reassessment
2009	\$28,000	\$104,500	\$132,500	Reassessment
2008	\$28,000	\$104,500	\$132,500	OfficeReview
2007	\$24,000	\$63,200	\$87,200	Reassessment
2006	\$15,000	\$63,200	\$78,200	Reassessment
2005	\$13,000	\$31,300	\$44,300	Reassessment
2004	\$10,000	\$24,100	\$34,100	Reassessment
2003	\$7,400	\$24,100	\$31,500	Reassessment
2002	\$7,300	\$23,900	\$31,200	Reassessment
1998	\$7,000	\$23,000	\$30,000	Not Available

**Transfers**

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
06/14/2022	\$0	OLIVERI SOPHIA	ID2022-13993	2 - INVALID SALE-Relation Between Buyer/Seller
05/16/2022	\$0	1321 PORTER ST LLC	ID2022-11608	2 - INVALID SALE-Relation Between Buyer/Seller
03/10/2021	\$198,000	HAWASH ALY	ID2021-6907	2 - INVALID SALE-Relation Between Buyer/Seller
01/24/1989	\$15,000	Not Available	00191-1380	
07/26/1982	\$10,000	Not Available	000585-02010	
11/02/1977	\$8,000	Not Available	000522-00466	

**Limited Liability Company - Articles of Organization**

**Entity Information**

Entity Name: 1321 Porter St, LLC Entity Type: Limited Liability Company

**Business Type**

Industry Code: 0 - General

**Duration**

Perpetual(forever)

**Registered Agent Information**

RA Type: An Individual who is a resident of Virginia Locality: RICHMOND CITY

RA Qualification: Member of the Virginia State Bar

Name: Richard J Knapp Email Address: N/A

The company's initial registered office address, including the street and number, if any, which is identical to the business office of the initial registered agent, is:

Registered Office Address: 1910 Byrd Ave Ste 5, Richmond, VA, 23230 - 3034, USA Contact Number: N/A

**Principal Office Address**

Address: 1910 Byrd Ave Ste 5, Richmond, VA, 23230 - 3034, USA

**Principal Information**

Management Structure: Manager-Managed

**Signature Information**

Date Signed: 01/06/2021

Executed in the name of the limited liability company by:

Printed Name	Signature	Title
Sophia Oliveri	Sophia Oliveri	Organizer

GPIN: S0000121019

Consideration: \$198,000.00  
Assessment: \$302,000.00

Prepared by: Jean Ritchie Tatum, VSB #18509  
Richard J. Knapp & Associates, P.C.  
1910 Byrd Avenue, Suite 5  
Richmond, VA 23230

M-11-19

Title insurer: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

THIS DEED, made this 9<sup>th</sup> day of March, 2021, by and between ALY HAWASH, Grantor, and 1321 PORTER ST, LLC, a Virginia limited liability company, Grantee.

**WITNESSETH**

THAT for and in consideration of the sum of Ten Dollars (\$10.00), and other valuable consideration, receipt of which is hereby acknowledged, the Grantor does hereby grant and convey with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE unto the Grantee, in FEE SIMPLE, the following described real estate, to-wit:

**ALL that certain lot of land in the City of Richmond, Virginia, with improvements thereon No. 1321 Porter Street, and bounded and described as follows:**

**BEGINNING on the north line of Porter Street 33 feet east of W. 14<sup>th</sup> Street and running thence eastwardly along and fronting 30 feet on the north line of Porter Street and running back thence from said front northwardly and between parallel lines 156.42 feet on the west line and 156.44 feet on the east line to an alley 14 feet wide, all as shown on plat of survey made by Phillip H. Brooks, Certified Land Surveyor, dated December 12, 1969, a copy of which is attached to and made a part of the Deed of Trust recorded July 26, 1982, in the Clerk's Office, Circuit Court, City of Richmond, Virginia, in Deed Book 585, page 2012, reference to which plat is hereby made for a more particular description of the real estate hereby conveyed.**

**BEING the same real estate conveyed to Aly Hawash, by Deed of Assumption from Edward L. Christian and Marie T. Christian, husband and wife, dated January 24, 1989, recorded January 24, 1989 in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Deed Book 191, page 1380.**

This conveyance is also made subject to such other conditions, restrictions and easements of record which may lawfully apply.

WITNESS the following signatures and seals:

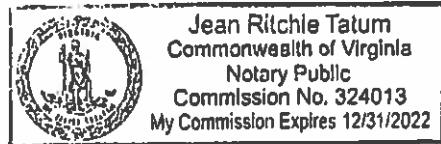
ALY HAWASH (SEAL)  
ALY HAWASH

COMMONWEALTH OF VIRGINIA;  
~~CITY~~ COUNTY OF Henrico, to-wit:

I, the undersigned Notary Public in and for my jurisdiction aforesaid, do hereby certify that Aly Hawash, whose name is signed to the foregoing Deed dated the 9<sup>th</sup> day of March, 2021, has acknowledged the same before me in my jurisdiction aforesaid.

Jean Ritchie Tatum  
NOTARY PUBLIC

My commission expires:  
12-31-22



Grantee's Address:  
1321 Porter St.  
Richmond, VA 23224

INSTRUMENT 210006907  
RECORDED IN THE CLERK'S OFFICE OF  
RICHMOND CITY CIRCUIT COURT ON  
MARCH 10, 2021 AT 11:19 AM  
\$302.00 GRANTOR TAX WAS PAID AS  
REQUIRED BY SEC 58.1-802 OF THE VA. CODE  
STATE: \$151.00 LOCAL: \$151.00  
EDWARD F. JEWETT, CLERK  
RECORDED BY: TMG

Document prepared by:  
Richard J. Knapp & Associates, P.C.  
Jean Ritchie Tatum, VSB #18509  
1910 Byrd Avenue, Suite 5  
Richmond, Virginia 23230

After recording, return to:  
Richard J. Knapp & Associates, P.C.  
1910 Byrd Avenue, Suite 5  
Richmond, VA 23230

Map Ref. No. S0000121019

M-1120

THIS PURCHASE MONEY DEED OF TRUST, dated the 9<sup>th</sup> day of March, 2018, by and between 1321 PORTER ST, LLC, herein called Grantor, and RICHARD J. KNAPP, a resident of the Commonwealth of Virginia, whose business address is 1910 Byrd Avenue, Suite 5, Richmond, Virginia, 23230, Trustee;

WITNESSETH:

That the Grantor hereby grant and convey, with general warranty of title, to the Trustee, the following property:

SEE SCHEDULE "A" ATTACHED

IN TRUST to secure the holder thereof the payment of all sums owing hereunder and under a certain Promissory Note (sometimes hereafter call the "Note") of even date herewith in the principal sum of Fourteen Thousand Five Hundred Eighty and no/100 Dollars (\$14,580.00), made by the Grantor, and payable to the order of Aly Hawash at 2900 Calloway Road, Henrico, VA 23228, or such other place as the holder may designate in writing. The entire principal balance shall be due and payable on or before December 9, 2021 ("Maturity Date").

The Grantor agrees to pay a late charge of Five Percent (5.000%) of any installment, which is paid more than Ten (10) calendar days after its due date.

The privilege is reserved to prepay at any time, without premium or fee.

This deed of trust is also given to secure the reimbursement to the holder of said Note and to Trustee, and any purchaser or purchasers under any sale or sales as provided by this Trust, for any and all costs and expenses incurred in respect thereto, including, but not limited to, reasonable counsel fees incurred or paid on account of any litigation at law or in equity which may arise in respect to this Trust, or to indebtedness on the property heretofore mentioned, or in obtaining possession of the premises after any sale which may be made as hereinafter provided for.

This deed is made under the provisions of Sections 55-59, and 55-59.1, 55-59.2, 55-59.3, 55-59.4 and 55-60 of the Code of Virginia and shall be construed to impose and confer upon the parties hereto and the beneficiary hereunder all of the duties, rights and obligations prescribed in said code sections and in short form provided in Section 55-60, the following provisions:

Subject to all upon default.  
 Exemptions Waived.  
 Any Trustee may act.  
 Advertisement required:  
 Three (3) times in a newspaper of  
 general circulation in the  
 City/County where the property is located.  
 Renewal or extension permitted.

The Grantor shall keep the improvements now existing or hereafter erected on the Property insured against loss by fire, hazards included within the term "extended coverage" and any other hazards for which the holder of the Note requires insurance. This insurance shall be maintained in amounts and for the periods that the holder of the Note requires. The insurance carrier providing insurance shall be chosen by the Grantor subject to the approval of the holder of the Note. The policy shall include a standard mortgagee clause.

Unless the Grantor and the holder of the Note otherwise agree in writing, insurance proceeds shall be applied to restoration or repair of the Property damaged if the restoration or repair is economically feasible and the noteholder's security is not lessened. If such restoration or repair is not economically feasible or the security of the holder of the Note would be lessened, the insurance proceeds shall be applied to the sums secured by this deed of trust, with any excess being paid to the Grantor. The application of insurance proceeds to principal shall not postpone or change the amount of any installments due under the Note unless agreed in writing by the holder of the Note.

The Grantor shall pay all costs incident to release of the lien of this Deed of Trust.

No failure of the Trustee or noteholder upon any occasion to exercise any option hereunder shall be deemed a waiver of the right to do so upon any other occasion.

In the event of a foreclosure sale of the Property by or at the direction of the Trustee, the Trustee shall be entitled to receive directly from the Grantor and via the Grantor's proceeds of such sale a reimbursement of all actual expenses incurred by such Trustee in such sale and a reasonable commission to Trustee not to exceed five percent (5%) of the gross proceeds of such sale. If the real estate is advertised for sale at foreclosure by reason of any act or default on the part of the Grantor but not sold pursuant to such advertisement, the Grantor shall pay to the Trustee(s) the actual expense incurred plus a reasonable commission for the Trustee's or Trustees' services, not to exceed five percent (5%) of the unpaid balance of the Note secured by this deed of trust.



In the event of the resignation, death, incapacity, disability, removal or absence from the State of Virginia of any Trustee hereunder, or if for any other reason whatsoever and with or without cause, the holder of the Note deems it advisable that any Trustee hereunder be replaced, the holder of the Note may, by instrument executed and acknowledged and filed for recordation in the Office of the Clerk wherein this deed of trust is recorded, appoint one or more substitute Trustees in the place of such Trustee, and such substitute Trustee or Trustees shall, together with any other Trustee hereunder whose status shall not have been so terminated, thereupon be vested with all the powers, rights and authority and duties vested in the Trustees hereunder. Pending such appointment, the remaining Trustee or Trustees hereunder shall be vested with all the powers, rights and authority and duties vested in the Trustees hereunder.

If any lien upon the property hereby conveyed superior to or inferior to or on equal footing with the lien of this deed of trust be in default, then the entire debt hereby secured shall, at the option of the holder of the Note, become immediately due and payable.

The holder of the Note is authorized, for the account of Grantor, to make any required payments under any lien prior to or inferior to or on equal footing with the lien of this deed of trust, or under this deed of trust, the nonpayment of which would constitute a default, including but not limited to principal, interest, taxes and fire insurance premiums. All sums so advanced shall accrue interest thereon at the same rate as the Note secured hereby from the date of the advancement to the date of repayment, unless payment of interest at such rate would be contrary to applicable law, in which event such amount shall bear interest at the highest rate permissible by applicable law, shall attach to and become part of the lien created hereunder, shall become payable at any time on demand thereof, and the failure to pay the same on demand shall, at the holder's option, constitute a default hereunder giving rise to all of the remedies herein provided in the event of other defaults.

The Grantor further irrevocably assigns to the holder of the Note, as additional security, all leases and any rents, income and profits which may now or hereafter be due upon the Property, it being understood that if, by reason of default under any of the terms hereof, the holder of the Note collects said rents, such holder shall have the right of employing agents for that purpose and paying a percentage of the rents collected for such collection. And, the Grantor hereby appoints the holder of the Note as his/her/its attorney-in-fact to do all things which the Grantor might otherwise do with respect to the Property and leases thereon. So long as there is no default under the Note and this Deed of Trust, the Grantor shall remain in quiet use, possession and management of the Property and the enjoyment of the rents, income and profits therefrom.

If Grantor, his heirs, administrators or assigns, shall directly or indirectly, by transfer, sale, or sale of stock or partnership or beneficiary's interest, permit, do or suffer the assignment, transfer, or sale of the Property or any part thereof or any interest therein, the holder of the Note secured hereby may, at his sole option, declare all sums secured by this Deed of Trust to be immediately due and payable. In addition, the holder of the Note reserves the absolute option and right, among other things, to: (a) require the agreement by Grantor and Grantor's transferee to any terms and

conditions that the holder of the Note may, in his sole discretion, deem necessary; (b) increase the rate of interest upon transfer; and (c) charge an assumption fee.

NOTICE: THE DEBT SECURED HEREBY IS SUBJECT TO CALL IN FULL OR THE TERMS HEREOF BEING MODIFIED IN THE EVENT OF SALE OR CONVEYANCE OF THE PROPERTY CONVEYED (see paragraph immediately above).

WITNESS the following signatures and seals:

1321 PORTER ST, LLC

By: Sophia Oliveri, mgr. (SEAL)  
SOPHIA OLIVERI, MANAGER

COMMONWEALTH OF VIRGINIA;  
~~CITY~~ / COUNTY OF Henrico, to-wit:

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of March, 2021, by Sophia Oliveri, Manager of 1321 Porter St, LLC.

Jean Ritchie Tatum  
NOTARY PUBLIC

My commission expires:  
12.31.22



**SCHEDULE "A"**

ALL that certain lot of land in the City of Richmond, Virginia, with improvements thereon No. 1321 Porter Street, and bounded and described as follows:

BEGINNING on the north line of Porter Street 33 feet east of W. 14<sup>th</sup> Street and running thence eastwardly along and fronting 30 feet on the north line of Porter Street and running back thence from said front northwardly and between parallel lines 156.42 feet on the west line and 156.44 feet on the east line to an alley 14 feet wide, all as shown on plat of survey made by Phillip H. Brooks, Certified Land Surveyor, dated December 12, 1969, a copy of which is attached to and made a part of the Deed of Trust recorded July 26, 1982, in the Clerk's Office, Circuit Court, City of Richmond, Virginia, in Deed Book 585, page 2012, reference to which plat is hereby made for a more particular description of the real estate hereby conveyed.

INSTRUMENT 210006908  
RECORDED IN THE CLERK'S OFFICE OF  
RICHMOND CITY CIRCUIT COURT ON  
MARCH 10, 2021 AT 11:20 AM  
EDWARD F. JEWETT, CLERK  
RECORDED BY: TMG

CLR220011608

Prepared by and return to:  
Sophia Oliveri  
1321 Porter St, C  
Richmond, VA 23224

Tax Map Reference No:  
S0000121019  
Title Underwriter:  
Prepared without the benefit of title search

ADV-11:34

**This Deed is tax exempt pursuant to Code Section 58.1-811(D) for the 1950 Tax Code of Virginia, as amended.**

THIS DEED OF GIFT, made the 15<sup>th</sup> of May, 2022, by and between 1321 PORTER ST, LLC, a Virginia limited liability company, herein called "Grantor", and SOPHIA OLIVERI, herein called "Grantee";

WITNESSETH

That for and in consideration of love and other affection the parties have for one another, and for good and valuable consideration, the receipt of which is hereby acknowledged, the Grantors do hereby grant and convey, with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE, unto the Grantee, IN FEE SIMPLE, the property, described on Schedule "A" attached hereto, made a part hereof, and herein incorporated by this reference.

This conveyance is subject to such recorded easements, restrictions, conditions, and covenants as may lawfully apply to the property hereby conveyed.

Words of any gender used in this instrument shall be held to include any other gender and words in the singular shall be held to include any other gender and words in the singular shall be held to include the plural when the sense requires.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.  
SIGNATURE PAGE FOLLOWS

WITNESS the following signatures and seals:

Sophia Oliveri (SEAL)  
SOPHIA OLIVERI

COMMONWEALTH OF VIRGINIA;

CITY/COUNTY OF Henrico, to-wit:

The foregoing document was acknowledged before me this 16<sup>th</sup> day of May, 2022, by Sophia Oliveri.

Mike Viet Quoc Luu  
NOTARY PUBLIC

My commission expires: 9/30/2022

MIKE VIET QUOC LUU  
NOTARY PUBLIC  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES SEPT. 30, 2022  
COMMISSION # 7130158

Grantee's address:  
1321 PORTER STREET, APT. C  
RICHMOND, VA 23224

[2]

**Schedule "A"**

ALL that certain lot of land in the City of Richmond, Virginia, with improvements thereon No. 1321 Porter Street, and bounded and described as follows:

BEGINNING on the north line of Porter Street 33 feet east of W. 14<sup>th</sup> Street and running thence eastwardly along and fronting 30 feet on the north line of Porter Street and running back thence from said front northwardly and between parallel lines 156.42 feet on the west line and 156.44 feet on the east line to an alley 14 feet wide, all as shown on a plat of survey made by Phillip H. Brooks, Certified Land Surveyor, Dated December 12, 1969, a copy of which is attached to and recorded with the Deed of Trust recorded in Deed Book 585, page 2012, and reference to which is hereby made for a more particular description of the property.

BEING the same real estate conveyed to 1321 Porter St, LLC, by Deed from Aly Hawash dated March 9, 2021, recorded March 10, 2021 in the Clerks' Office, City of Richmond, Virginia as Instrument No. 210006907.

INSTRUMENT 220011608  
RECORDED IN THE CLERK'S OFFICE OF  
RICHMOND CITY CIRCUIT COURT ON  
MAY 16, 2022 AT 11:34 AM  
EDWARD F. JEWETT, CLERK  
RECORDED BY: DGS

Prepared By:  
Richard J. Knapp & Associates, P.C.  
1910 Byrd Avenue, Suite 5  
Richmond, VA 23230  
Tax Map Ref. Nos. S0000121019

**CERTIFICATE OF SATISFACTION**

Place of Record: Clerk's Office, Circuit Court, City of Richmond, Virginia  
Date of Deed of Trust: March 19, 2018  
Instrument Number: 210006908  
Names(s) of Grantor(s)/Maker(s): 1321 Porter Street, LLC  
Names(s) of Trustee(s): Richard J. Knapp  
Face Amount of Note: \$14,580.00

I/We CERTIFY that the Note(s) secured by the Deed of Trust, Mortgage or other lien described above, has/have been paid in full to the person entitled and authorized to receive the same, and the lien therein created and retained is hereby released.

GIVEN UNDER MY/OUR HAND(S) THIS 8<sup>th</sup> DAY OF June, 2022.

Noteholder: Aly Hawash

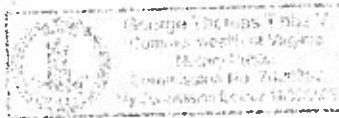
By: [Signature] (SEAL)  
RICHARD J. KNAPP, TRUSTEE

STATE / COMMONWEALTH OF VIRGINIA  
CITY / COUNTY OF HENRICO, to-wit:

Subscribed, sworn to and acknowledged before me by RICHARD J. KNAPP  
As Trustee  
this 8<sup>th</sup> day of JUNE, 2022.

[Signature]  
NOTARY PUBLIC

My Commission expires: 1/30/2023



VIRGINIA  
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF \_\_\_\_\_  
This Certificate was presented, and with  
the Certificate annexed, admitted to record on \_\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M. Clerk's Fee \$ \_\_\_\_\_ has been paid.

ATTEST: \_\_\_\_\_, Clerk

INSTRUMENT 220013657  
RECORDED IN THE CLERK'S OFFICE OF  
RICHMOND CITY CIRCUIT COURT ON  
JUNE 8, 2022 AT 01:01 PM  
EDWARD F. JEWETT, CLERK  
RECORDED BY: DGS

Prepared by and return to:  
Sophia Oliveri  
1321 Porter St, C  
Richmond, VA 23224

Tax Map Reference No:  
S0000121019  
Title Underwriter:  
Prepared without the benefit of title search

ADV - 9:38

**This Deed is tax exempt pursuant to Code Section 58.1-811(D) for the 1950 Tax Code of Virginia, as amended.**

THIS DEED OF GIFT, made the 13<sup>th</sup> of June, 2022, by and between **SOPHIA OLIVERI**, herein called "Grantor", and **1321 PORTER ST, LLC**, a Virginia limited liability company, herein called "Grantee";

WITNESSETH

That for and in consideration of love and other affection the parties have for one another, and for good and valuable consideration, the receipt of which is hereby acknowledged, the Grantors do hereby grant and convey, with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE, unto the Grantee, IN FEE SIMPLE, the property, described on Schedule "A" attached hereto, made a part hereof, and herein incorporated by this reference.

This conveyance is subject to such recorded easements, restrictions, conditions, and covenants as may lawfully apply to the property hereby conveyed.

Words of any gender used in this instrument shall be held to include any other gender and words in the singular shall be held to include any other gender and words in the singular shall be held to include the plural when the sense requires.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK  
SIGNATURE PAGE FOLLOWS



WITNESS the following signatures and seals:

Sophia Oliveri 6.14.22 (SEAL)  
SOPHIA OLIVERI

COMMONWEALTH OF VIRGINIA;

CITY/COUNTY OF Henrico, to-wit:

The foregoing document was acknowledged before me this 14<sup>th</sup> day of June May, 2022, by Sophia Oliveri. 2022

[Signature]  
NOTARY PUBLIC

My commission expires: 9/30/2022

MIKE VIET QUOC LUU  
NOTARY PUBLIC  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES SEPT. 30, 2022  
COMMISSION # 7130158

Grantee's address:  
1321 PORTER STREET, APT. C  
RICHMOND, VA 23224

**Schedule "A"**

ALL that certain lot of land in the City of Richmond, Virginia, with improvements thereon No. 1321 Porter Street, and bounded and described as follows:

BEGINNING on the north line of Porter Street 33 feet east of W. 14<sup>th</sup> Street and running thence eastwardly along and fronting 30 feet on the north line of Porter Street and running back thence from said front northwardly and between parallel lines 156.42 feet on the west line and 156.44 feet on the east line to an alley 14 feet wide, all as shown on a plat of survey made by Phillip H. Brooks, Certified Land Surveyor, Dated December 12, 1969, a copy of which is attached to and recorded with the Deed of Trust recorded in Deed Book 585, page 2012, and reference to which is hereby made for a more particular description of the property.

BEING the same real estate conveyed to 1321 Porter St, LLC, by Deed from Aly Hawash dated March 9, 2021, recorded March 10, 2021 in the Clerks' Office, City of Richmond, Virginia as Instrument No. 210006907.

INSTRUMENT 220013993  
RECORDED IN THE CLERK'S OFFICE OF  
RICHMOND CITY CIRCUIT COURT ON  
JUNE 14, 2022 AT 09:38 AM  
EDWARD F. JEWETT, CLERK  
RECORDED BY: DGS

Parcel Number: S0000121019  
Amount of Consideration: \$400,000.00  
Return To (Name and Address):  
First Bank  
112 W. King St.  
Strasburg, VA 22657

M-

Prepared by (Name of Person or Entity):  
First Bank  
112 W. King St.  
Strasburg, VA 22657

**This is a Credit Line Deed of Trust**  
(With Future Advance Clause)

1. **Date and Parties.** The date of this Credit Line Deed of Trust (Security Instrument) is 6/13/2022, and the parties and their addresses are as follows:

**Grantor:**  
SOPHIA S OLIVERI (AKA SOPHIA OLIVERI)

If checked, refer to the attached Addendum incorporated herein, for additional Grantors, their signatures and acknowledgments.

**Trustee:**  
MICHAEL L. BRYAN                      SAMUEL J. CROW, JR.  
116 S. Braddock Street              112 W. King St.  
Winchester, VA 22601                  Strasburg, VA 22657

**Lender:**  
First Bank  
112 W. King St.  
Strasburg, VA 22657

This is a refinance of a Deed of Trust recorded in the clerk's office, circuit court of \_\_\_\_\_, Virginia, in deed book \_\_\_\_\_, page \_\_\_\_\_, for which the tax has been paid. Pursuant to Section \_\_\_\_\_ of the Code of Virginia.

This is a refinance of a Deed of Trust recorded in the clerk's office, circuit court of \_\_\_\_\_, Virginia, in deed book \_\_\_\_\_, page \_\_\_\_\_, in the original principal amount of \$ \_\_\_\_\_, and with the outstanding principal balance which is \$ \_\_\_\_\_. Pursuant to Section \_\_\_\_\_ of the Code of Virginia.

2. **Credit Line Deed of Trust.** This is a credit line Deed of Trust within the meaning of Section 55.1-318 of the Code of Virginia, as amended. For purposes of such section, (i) the name of the noteholder secured by this Security Instrument is First Bank, (ii) the address at which communications may be mailed or delivered to the noteholder is 112 W. King St., Strasburg, VA 22657 and (iii) the maximum aggregate principal amount to be secured is \$ \$400,000.00. This limitation of amount does not include interest and other fees and charges validly made pursuant to this Security Instrument. Also, this limitation does not apply to advances made under the terms of this Security Instrument to protect Lender's security and to perform any of the covenants contained in this Security Instrument.
3. **Conveyance.** For good and valuable consideration, the receipt and sufficiency of which is acknowledged, and to secure the Secured Debt (defined below) and Grantor's performance under this Security Instrument, Grantor irrevocably grants, conveys and sells to Trustee, in trust for the benefit of Lender, with power of sale, the following described property:  
See SCHEDULE A, which is attached to this Deed of Trust and made a part of this Deed of Trust as if fully set forth herein.

The property is located in CITY OF RICHMOND at  
 (County (or City))  
 1321 PORTER ST, RICHMOND, Virginia 23224-0000  
 (Address) (City) (ZIP Code)

Together with all rights, easements, appurtenances, royalties, mineral rights, oil and gas rights, all water and riparian rights, ditches, and water stock and all existing and future improvements, structures, fixtures, and replacements that may now, or at any time in the future, be part of the real estate described above (all referred to as "Property").

4. **Secured Debt and Future Advances.** The term "Secured Debt" is defined as follows:  
 (A) Debt incurred under the terms of all promissory note(s), contract(s), guaranty(ies) or other evidence of debt described below and all their extensions, renewals, modifications or substitutions. (You must specifically identify the debt(s) secured and you should include the final maturity date of such debt(s).)

- (B) All future advances from Lender to Grantor or other future obligations of Grantor to Lender under any promissory note, contract, guaranty, or other evidence of debt executed by Grantor in favor of Lender after this Security Instrument whether or not this Security Instrument is specifically referenced. If more than one person signs this Security Instrument, each Grantor agrees that this Security Instrument will secure all future advances and future obligations that are given to or incurred by any one or more Grantor, or any one or more Grantor and others. All future advances and other future obligations are secured by this Security Instrument even though all or part may not yet be advanced. All future advances and other future obligations are secured as if made on the date of this Security Instrument. Nothing in this Security Instrument shall constitute a commitment to make additional or future loans or advances in any amount. Any such commitment must be agreed to in a separate writing.
- (C) All other obligations Grantor owes to Lender, which may later arise, to the extent not prohibited by law, including, but not limited to, liabilities for overdrafts relating to any deposit account agreement between Grantor and Lender.
- (D) All additional sums advanced and expenses incurred by Lender for insuring, preserving or otherwise protecting the Property and its value and any other sums advanced and expenses incurred by Lender under the terms of this Security Instrument.

In the event that Lender fails to provide any required notice of the right of rescission, Lender waives any subsequent security interest in the Grantor's principal dwelling that is created by this Security Instrument.

5. **Deed of Trust Covenants.** Grantor agrees that the covenants in this section are material obligations under the Secured Debt and this Security Instrument. If Grantor breaches any covenant in this section, Lender may refuse to make additional extensions of credit and reduce the credit limit. By not exercising either remedy on Grantor's breach, Lender does not waive Lender's right to later consider the event a breach if it happens again.

**Payments.** Grantor agrees that all payments under the Secured Debt will be paid when due and in accordance with the terms of the Secured Debt and this Security Instrument.

**Prior Security Interests.** With regard to any other mortgage, deed of trust, security agreement or other lien document that created a prior security interest or encumbrance on the Property, Grantor agrees to make all payments when due and to perform or comply with all covenants. Grantor also agrees not to allow any modification or extension of, nor to request any future advances under any note or agreement secured by the lien document without Lender's prior written approval.

**Claims Against Title.** Grantor will pay all taxes, assessments, liens, encumbrances, lease payments, ground rents, utilities, and other charges relating to the Property when due. Lender may require Grantor to provide to Lender copies of all notices that such amounts are due and the receipts evidencing Grantor's payment. Grantor will defend title to the Property against any claims that would impair the lien of this Security Instrument. Grantor agrees to assign to Lender, as requested by Lender, any rights, claims or defenses Grantor may have against parties who supply labor or materials to maintain or improve the Property.

**Property Condition, Alterations and Inspection.** Grantor will keep the Property in good condition and make all repairs that are reasonably necessary. Grantor shall not commit or allow any waste, impairment, or deterioration of the Property. Grantor agrees that the nature of the occupancy and use will not substantially change without Lender's prior written consent. Grantor will not permit any change in any license, restrictive covenant or easement without Lender's prior written consent. Grantor will notify Lender of all demands, proceedings, claims, and actions against Grantor, and of any loss or damage to the Property.

Lender or Lender's agents may, at Lender's option, enter the Property at any reasonable time for the purpose of inspecting the Property. Lender shall give Grantor notice at the time of or before an inspection specifying a reasonable purpose for the inspection. Any inspection of the Property shall be entirely for Lender's benefit and Grantor will in no way rely on Lender's inspection.

**Authority to Perform.** If Grantor fails to perform any duty or any of the covenants contained in this Security Instrument, Lender may, without notice, perform or cause them to be performed. Grantor appoints Lender as attorney in fact to sign Grantor's name or pay any amount necessary for performance. Lender's right to perform for Grantor shall not create an obligation to perform, and Lender's failure to perform will not preclude Lender from exercising any of Lender's other rights under the law or this Security Instrument.

**Leaseholds; Condominiums; Planned Unit Developments.** Grantor agrees to comply with the provisions of any lease if this Security Instrument is on a leasehold. If the Property includes a unit in a condominium or a planned unit development, Grantor will perform all of Grantor's duties under the covenants, by-laws, or regulations of the condominium or planned unit development.

**Condemnation.** Grantor will give Lender prompt notice of any pending or threatened action, by private or public entities to purchase or take any or all of the Property through condemnation, eminent domain, or any other means. Grantor authorizes Lender to intervene in Grantor's name in any of the above described actions or claims. Grantor assigns to Lender the proceeds of any award or claim for damages connected with a condemnation or other taking of all or any part of the Property. Such proceeds shall be considered payments and will be applied as provided in this Security Instrument. This assignment of proceeds is subject to the terms of any prior mortgage, deed of trust, security agreement or other lien document.

**Insurance.** Grantor shall keep Property insured against loss by fire, flood, theft and other hazards and risks reasonably associated with the Property due to its type and location. This insurance shall be maintained in the amounts and for the periods that Lender requires. What Lender requires pursuant to the preceding two sentences can change during the term of the Secured Debt. The insurance carrier providing the insurance shall be chosen by Grantor subject to Lender's approval, which shall not be unreasonably withheld. If Grantor fails to maintain the coverage described above, Lender may, at Lender's option, obtain coverage to protect Lender's rights in the Property according to the terms of this Security Instrument.

All insurance policies and renewals shall be acceptable to Lender and shall include a standard "mortgage clause" and, where applicable, "loss payee clause." Grantor shall immediately notify Lender of cancellation or termination of the insurance. Lender shall have the right to hold the policies and renewals. If Lender requires, Grantor shall immediately give to Lender all receipts

of paid premiums and renewal notices. Upon loss, Grantor shall give immediate notice to the insurance carrier and Lender. Lender may make proof of loss if not made immediately by Grantor.

Unless otherwise agreed in writing, all insurance proceeds shall be applied to the restoration or repair of the Property or to the Secured Debt, whether or not then due, at Lender's option. Any application of proceeds to principal shall not extend or postpone the due date of the scheduled payment nor change the amount of any payment. Any excess will be paid to the Grantor. If the Property is acquired by Lender, Grantor's right to any insurance policies and proceeds resulting from damage to the Property before the acquisition shall pass to Lender to the extent of the Secured Debt immediately before the acquisition.

**Financial Reports and Additional Documents.** Grantor will provide to Lender upon request, any financial statement or information Lender may deem reasonably necessary. Grantor agrees to sign, deliver, and file any additional documents or certifications that Lender may consider necessary to perfect, continue, and preserve Grantor's obligations under this Security Instrument and Lender's lien status on the Property.

6. **Warranty of Title.** Grantor warrants that Grantor is or will be lawfully seized of the estate conveyed by this Security Instrument and has the right to irrevocably grant, convey and sell the Property to Trustee, in trust, with power of sale. Grantor also warrants that the Property is unencumbered, except for encumbrances of record.
7. **Due on Sale.** Lender may, at its option, declare the entire balance of the Secured Debt to be immediately due and payable upon the creation of, or contract for the creation of, a transfer or sale of all or any part of the Property. This right is subject to the restrictions imposed by federal law, as applicable.

**NOTICE - THE DEBT SECURED HEREBY IS SUBJECT TO CALL IN FULL OR THE TERMS THEREOF BEING MODIFIED IN THE EVENT OF SALE OR CONVEYANCE OF THE PROPERTY CONVEYED.**

8. **Default.** Grantor will be in default if any of the following occur:

**Fraud.** Any Consumer Borrower engages in fraud or material misrepresentation in connection with the Secured Debt that is an open end home equity plan.

**Payments.** Any Consumer Borrower on any Secured Debt that is an open end home equity plan fails to make a payment when due.

**Property.** Any action or inaction by the Borrower or Grantor occurs that adversely affects the Property or Lender's rights in the Property. This includes, but is not limited to, the following: (a) Grantor fails to maintain required insurance on the Property; (b) Grantor transfers the Property; (c) Grantor commits waste or otherwise destructively uses or fails to maintain the Property such that the action or inaction adversely affects Lender's security; (d) Grantor fails to pay taxes on the Property or otherwise fails to act and thereby causes a lien to be filed against the Property that is senior to the lien of this Security Instrument; (e) a sole Grantor dies; (f) if more than one Grantor, any Grantor dies and Lender's security is adversely affected; (g) the Property is taken through

eminent domain; (h) a judgment is filed against Grantor and subjects Grantor and the Property to action that adversely affect Lender's interest; or (i) a prior lienholder forecloses on the Property and as a result, Lender's interest is adversely affected.

9. **Remedies on Default.** In addition to any other remedy available under the terms of this Security Instrument, Lender may accelerate the Secured Debt and foreclose this Security Instrument in a manner provided by law if Grantor is in default. In some instances, federal and state law will require Lender to provide Grantor with notice of the right to cure, or other notices and may establish time schedules for foreclosure actions.

At the option of Lender, all or any part of the agreed fees and charges, accrued interest and principal shall become immediately due and payable, after giving notice if required by law, upon the occurrence of a default or anytime thereafter. Lender shall be entitled to, without limitation, the power to direct the Trustee to execute the trust created hereby and in so doing exercise all of the powers as set forth in Va. Code Section 55.1-320 and 55.1-321 through 55.1-324, as in effect on the date of this Security Instrument.

If there is a default, Trustee shall at the request of the Lender, advertise and sell the Property as a whole or in separate parcels at public auction to the highest bidder for cash at such time and place as Trustee designates. Trustee shall give notice of sale including the time, terms and place of sale and a description of the Property to be sold as required by the applicable law in effect at the time of the proposed sale. Advertisement required: Advertisement shall be sufficient if published in a newspaper having a general circulation in the County or City where the Property or some part thereof is located either (a) once a week for two weeks, or (b) once a day for three days, which may be consecutive days.

Upon any sale of the Property, Trustee will make and deliver a special or limited warranty deed that conveys the property sold to the purchaser or purchasers. Under this special or limited warranty deed, Trustee will covenant that Trustee has not caused or allowed a lien or an encumbrance to burden the Property and that Trustee will specially warrant and defend the Property's title of the purchaser or purchasers at the sale against all lawful claims and demand of all persons claiming by, through or under Trustee. The recitals in any deed of conveyance will be prima facie evidence of the facts set forth herein.

Upon sale of the Property, Trustee shall apply the proceeds in the order prescribed by law. Lender may purchase the Property.

The acceptance by Lender of any sum in payment or partial payment on the Secured Debt after the balance is due or is accelerated or after foreclosure proceedings are filed shall not constitute a waiver of Lender's right to require complete cure of any existing default. By not exercising any remedy on Grantor's default, Lender does not waive Lender's right to later consider the event a default if it happens again.

10. **Section 55.1-325 of the Code of Virginia.** This Security Instrument shall be construed to impose and confer upon the parties hereto, and the beneficiaries hereunder, all duties, rights and obligations prescribed in Section 55.1-325 of the Code of Virginia, as amended, and in effect on



the date of this Security Instrument, and the following provisions of that section are incorporated in this Security Instrument by short form reference:

- (A) Exemptions waived.
  - (B) Subject to all upon default.
  - (C) Renewal, extension or reinstatement permitted.
  - (D) Any Trustee may act.
  - (E) Substitution of Trustees permitted.
11. **Expenses; Advances on Covenants; Attorneys' Fees; Collection Costs.** If Grantor breaches any covenant in this Security Instrument, Grantor agrees to pay all expenses Lender incurs in performing such covenants or protecting its security interest in the Property. Such expenses include, but are not limited to, fees incurred for inspecting, preserving, or otherwise protecting the Property and Lender's security interest. These expenses are payable on demand and will bear interest from the date of payment until paid in full at the highest rate of interest in effect as provided in the terms of the Secured Debt. Grantor agrees to pay all costs and expenses incurred by Lender in collecting, enforcing or protecting Lender's rights and remedies under this Security Instrument. This amount may include, but is not limited to, attorneys' fees, court costs, and other legal expenses. To the extent permitted by the United States Bankruptcy Code, Grantor agrees to pay the reasonable attorneys' fees Lender incurs to collect the Secured Debt as awarded by any court exercising jurisdiction under the Bankruptcy Code. This Security Instrument shall remain in effect until released. Grantor agrees to pay for any recordation costs of such release.
12. **Environmental Laws and Hazardous Substances.** As used in this section, (1) Environmental Law means, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, 42 U.S.C. 9601 et seq.), and all other federal, state and local laws, regulations, ordinances, court orders, attorney general opinions or interpretive letters concerning the public health, safety, welfare, environment or a hazardous substance; and (2) Hazardous Substance means any toxic, radioactive or hazardous material, waste, pollutant or contaminant which has characteristics which render the substance dangerous or potentially dangerous to the public health, safety, welfare or environment. The term includes, without limitation, any substances defined as "hazardous material," "toxic substances," "hazardous waste," "hazardous substance," or "regulated substance" under any Environmental Law.
- Grantor represents, warrants and agrees that:
- (A) Except as previously disclosed and acknowledged in writing to Lender, no Hazardous Substance is or will be located, stored or released on or in the Property. This restriction does not apply to small quantities of Hazardous Substances that are generally recognized to be appropriate for the normal use and maintenance of the Property.
  - (B) Except as previously disclosed and acknowledged in writing to Lender, Grantor and every tenant have been, are, and shall remain in full compliance with any applicable Environmental Law.
  - (C) Grantor shall immediately notify Lender if a release or threatened release of a Hazardous Substance occurs on, under or about the Property or there is a violation of any Environmental Law concerning the Property. In such an event, Grantor shall take all necessary remedial action in accordance with any Environmental Law.

- (D) Grantor shall immediately notify Lender in writing as soon as Grantor has reason to believe there is any pending or threatened investigation, claim, or proceeding relating to the release or threatened release of any Hazardous Substance or the violation of any Environmental Law.
13. **Escrow for Taxes and Insurance.** Unless otherwise provided in a separate agreement, Grantor will not be required to pay to Lender funds for taxes and insurance in escrow.
14. **Joint and Individual Liability; Co-Signers; Successors and Assigns Bound.** All duties under this Security Instrument are joint and individual. If Grantor signs this Security Instrument but does not sign an evidence of debt, Grantor does so only to mortgage Grantor's interest in the Property to secure payment of the Secured Debt and Grantor does not agree to be personally liable on the Secured Debt. If this Security Instrument secures a guaranty between Lender and Grantor, Grantor agrees to waive any rights that may prevent Lender from bringing any action or claim against Grantor or any party indebted under the obligation. These rights may include, but are not limited to, any anti-deficiency or one-action laws. The duties and benefits of this Security Instrument shall bind and benefit the successors and assigns of Grantor and Lender.
15. **Severability; Interpretation.** This Security Instrument is complete and fully integrated. This Security Instrument may not be amended or modified by oral agreement. Any section in this Security Instrument, attachments, or any agreement related to the Secured Debt that conflicts with applicable law will not be effective, unless that law expressly or impliedly permits the variations by written agreement. If any section of this Security Instrument cannot be enforced according to its terms, that section will be severed and will not affect the enforceability of the remainder of this Security Instrument. Whenever used, the singular shall include the plural and the plural the singular. The captions and headings of the sections of this Security Instrument are for convenience only and are not to be used to interpret or define the terms of this Security Instrument. Time is of the essence in this Security Instrument.
16. **Successor Trustee.** Lender, at Lender's option, may from time to time remove Trustee and appoint a successor or successors to any trustee without any other formality than the designation in writing. The successor or any successors to any trustee, without conveyance of the Property, shall succeed to all the title, power and duties conferred upon Trustee by this Security Instrument and applicable law.
17. **Notice.** Unless otherwise required by law, any notice shall be given by delivering it or by mailing it by first class mail to the appropriate party's address on page 1 of this Security Instrument, or to any other address designated in writing. Notice to one grantor will be deemed to be notice to all grantors.
18. **Waivers.** Except to the extent prohibited by law, Grantor waives the benefit of the homestead exemption as to this obligation and any rights of appraisalment and reinstatement.

GRANTOR HEREBY EXPRESSLY WAIVES AND RELEASES ANY REQUIREMENT OR OBLIGATION THAT THE LENDER OR THE TRUSTEE PRESENT EVIDENCE OR OTHERWISE PROCEED BEFORE ANY COURT, CLERK, OR OTHER JUDICIAL OR QUASI-JUDICIAL BODY BEFORE EXERCISE OF THE POWERS OF SALE CONTAINED IN THIS SECURITY INSTRUMENT AND IN SECTION 55.1-320 AND SECTIONS 55.1-321 THROUGH 55.1-324 OF THE CODE OF VIRGINIA, AS AMENDED.

19. **Line of Credit.** The Secured Debt includes a revolving line of credit. Although the Secured Debt may be reduced to a zero balance, this Security Instrument will remain in effect until released.
20. **Applicable Law.** This Security Instrument is governed by the laws as agreed to in the Secured Debt, except to the extent required by the laws of the jurisdiction where the Property is located, and applicable federal laws and regulations.
21. **Riders.** The covenants and agreements of each of the riders checked below are incorporated into and supplement and amend the terms of this Security Instrument. [Check all applicable boxes]
- Assignment of Leases and Rents     Other
22.  **Attorneys' Fees.** If checked, the following are reasonable attorneys' fees in the event of default:
23.  **Additional Terms.**

**Signatures.** By signing below, Grantor agrees to the terms and covenants contained in this Security Instrument and in any attachments. Grantor also acknowledges receipt of a copy of this Security Instrument on the date stated on page 1.

Witness the following signatures.

**Grantor**

Sophia Oliveri 6.13.22  
SOPHIA S OLIVERI Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

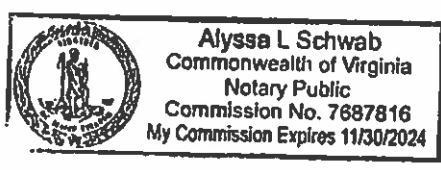
Refer to the attached *Signature Addendum* for additional parties and signatures.

Acknowledgment (Individual)  
Commonwealth of Virginia  
County (or City) of Henrico

This instrument was acknowledged before me this 13 day of June 2022 by  
Sophia S. Oliveri

My commission expires: 11.30.2024 (Seal)

Alyssa L Schwab  
(Notary Public)



Notary Registration Number: 7687816

Acknowledgment (Representative Capacity)  
Commonwealth of  
County (or City) of

The foregoing instrument was acknowledged before me this . by

as , on behalf of

My commission expires: (Seal)

\_\_\_\_\_  
(Notary Public)

Notary Registration Number:

**Schedule A**

ALL that certain lot or parcel of land in the City of Richmond, Virginia, with improvements thereon, and bounded and described as follows:

BEGINNING on the north line of Porter Street 33 feet east of W. 14th Street and running thence eastwardly along and fronting 30 feet on the north line of Porter Street and running back thence from said front northwardly and between parallel lines 156.42 feet on the west line and 156.44 feet on the east line to an alley 14 feet wide, all as shown on plat of survey made by H. Brooks, Certified Land Surveyor, Dated December 12, 1969.

INSTRUMENT 220014940  
RECORDED IN THE CLERK'S OFFICE OF  
RICHMOND CITY CIRCUIT COURT ON  
JUNE 24, 2022 AT 08:33 AM  
EDWARD F. JEWETT, CLERK  
RECORDED BY: JRO

Additional Documents  
Submitted by  
RVA Home LLC  
via Sophia Oliveri

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**Garrett Braun** <gbraun@blueneststructural.com>  
to me ▾

Thu, Oct 3, 9:07 AM



Hi Emily,

Nothing I saw indicates you should be structurally concerned about tenants safely occupying that space. Note that I did not provide any analysis of the existing framing, but my understanding is that this space has been occupied before and therefore loaded in a similar way. Under those conditions, you would typically see indication of insufficient structure such as very noticeable displacement, settlement, deflections and cracking in finishes. None of which I saw.

I will update my letter with the shower photo you sent (As I mentioned in the field this appears to be the natural movement of materials due to changes in temperature and humidity, not a structural concern), the comment above and separately provide you a sketch of the framing support for the stair. This week is crazy, but I should be able to send this to you early next week.



**Garrett Braun, PE**  
Principal

**BLUE NEST STRUCTURAL**

MI 804-409-6272

313 E Broad St | Suite 322 | Richmond, VA 23219

[www.blueneststructural.com](http://www.blueneststructural.com)



Be sure to follow us!



September 27, 2024

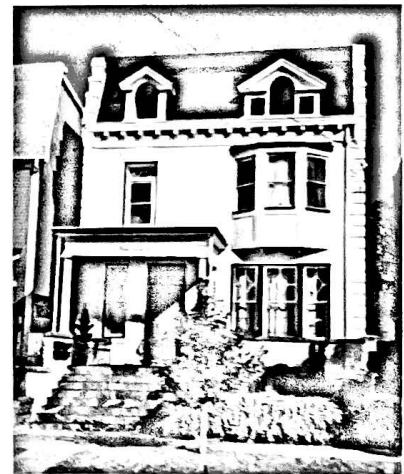
1321 Porter St LLC  
1321 Porter St  
Richmond, VA  
Attention: Emily Pinchbeck

Reference: Structural Observations  
1321 Porter St; Richmond, VA  
Blue Nest Project #: R24.125

Dear Emily:

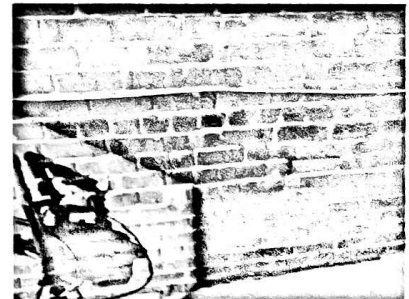
At your request, I provided a structural observation of the third floor and the exterior of the house at 1321 Porter St on September 3<sup>rd</sup> at 8:30a. Based on online records, the original house was constructed around 1921 and the third floor was an addition with an unknown constructed date. The exterior finishes, however, indicate it likely occurred in the last 25 years. The third-floor addition appears to be constructed of wood roof and floor framing supported by wood stud walls. The original house below appears to be wood roof and floor framing supported by brick masonry bearing walls.

Most of the interior walls, roof and floor structure was covered in finishes, however, we can often see signs of cracking or deterioration that indicates structural concerns. Overall, the house was in good condition with isolated and generally minor deficiencies. The following are deficiencies we observed:



Overall View of House

1. **Deteriorated mortar:** At the base of the northeast exterior wall, we observed soft and deteriorated mortar. This is likely due to repeated cycles of wetting and drying of the mortar. It could also be indicative of a poor batch of mortar at this location at the time of installation. We recommend engaging a mason to remove the deteriorated mortar and repoint it with new mortar. This does not appear to be a structural concern currently, but continued deterioration could become a structural issue.

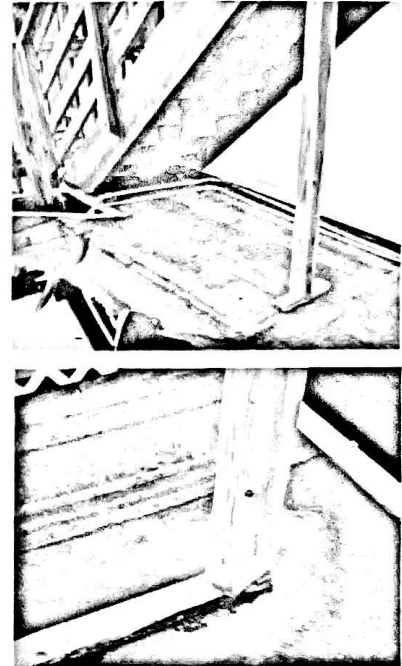


2. **Missing and deteriorated mortar:** At the screen wall at the front entrance we observed missing and deteriorated mortar. We recommend the mortar be repointed in this area.





3. **Insufficient Post Connection:** The posts for the stairs at the rear of the building that leads from the 2<sup>nd</sup> to the 3<sup>rd</sup> floor addition do not have mechanical connections to their support, they are currently sitting on top of a wood plat that is resting on the roof membrane. The posts have twisted at a couple of location, which is common for wood members. We understand a typical mechanical fastener to the roof framing below would increase the chance of a leak. As an alternative we recommend providing horizontal 2x6 or greater members that connect to the baser of each post and to the base of the stair stringer in the direction parallel to the posts. Additional 2x6 members should be connected to each post base in the perpendicular direction and fastened to the wall of the house. These members are intended to stabilize the base of the post and keep if from moving.



The deficiencies observed were limited and isolated in nature. Overall, the portions of the house observed appear to be in good structural condition. No finishes were removed and no testing or analysis was provided as part of this report.

  
Garrett Braun, PE  
Principal





**John Nedza**  
to me ▾

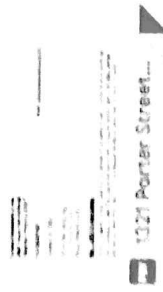
Oct 18, 2024, 12:35 PM (7 days ago)



Hey Emily - Here is the letter saying that the third floor is structurally sound

\*\*\*

One attachment • Scanned by Gmail



**Louisa Engineering, Inc.  
1065 Jouett School Road  
Mineral, Virginia 23117**

Cell: 804.512.4865

Email: [john@louisaengineering.com](mailto:john@louisaengineering.com)

October 18, 2024

Emily Pinchbeck, Mgr.  
1321 Porter St. LLC.  
Phone (804)-912-3115

**RE: 1321 Porter Street**

At your request I made a site visit to the above property to see if the third story addition was structural sound. The reason for the review is due to the fact that a building permit was not acquired from the City of Richmond for the construction of the third floor. Therefore, the city requested that a VA Professional engineer review the building and the decks/ staircases for structural integrity.

This house was originally a 2 -story wood frame structure over a crawl space. The age is approximately 100 years. A third story was added approximately 5 years ago. See photo #1

Reasonable care was taken to make observations and offer recommendations which are based on visual observations only. We did not test the soil. However, we did do some soil excavations to observe footings. Also, we used a borescope and removed dry wall in a few places to observe the third-floor ceiling joists.

**Observations and Discussion**

**Crawl Space and Footings**

We checked on the footings to see if they were competent to bear the additional weight of the third story. We observed that the foundation walls are 3 wythes of brick, approximately 11.5" wide. In addition, to the exterior walls there is a longitudinal center foundation wall. The bottom of the foundation wall is corbelled as follows: the wall goes down 5 bricks, steps out one and down 2, out 1, down 2 more, out another. The total width of the corbelled footing is approximately 30" which is adequate. See photo's #1,2,3.

**Exterior Staircases and Decks**

We made a number of upgrades on the exterior decks. See photos 4-7. A summary of upgrades can be seen from the photos. We scabbed 2x PT (pressure treated) wood to the side of the columns. We also added a new column. Also, a new beam was added to support the deck above and we anchored the posts to the base material.

However, additional upgrades need to be implemented on the staircases and third floor deck support columns. On the staircase the existing newel posts will need to be replaced with 4 x 4 PT posts at 4' OC max. See the attached drawing S1 of 1. Also, we need to add additional 2 posts and a beam at the center line of the uppermost staircase as shown on the drawing. And lastly, we need to brace the 2 columns supporting the uppermost third floor landing. Also see drawing S1 of 1.

Exterior Ceiling/Roof of the third floor

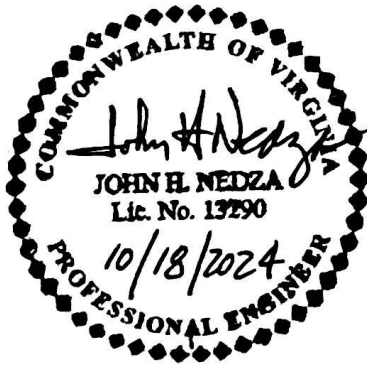
We removed some sheet rock and also used a borescope to observe the rafters of the third floor. The rafters are 2 x 8's at 16" on center spanning less than the code allowable of 17'-1". Therefore, the ceiling joists / rafters appear to be adequate. See photo's 8 & 9.

Also, we looked at the lateral load resisting capability of the building and determined that the existing shear walls are adequate to resist wind and seismic loading.

Conclusion

After performing a reasonable due diligence effort to determine the as-built construction of the building I believe that the third-floor structure is structurally sound and appears to meet building code requirements.

There some issue that still need to be addressed on the rear stairs and decks. Please implement the structural remediations discussed in this letter and shown on the attached drawing.



Sincerely,

John H. Nedza, PE  
Structural Engineer



Photo #1 Front of house approximately 100 years old



Photo #2 – Corbelled foundation. These are all taken below the house. The 2x10's are almost 2x11. The foundation wall is 3 courses thick around the perimeter, with another wall from front to back in the center of the house (photo 1). Pillars are 18x18. There are also (4) 4 brick by 4 brick thick pillars between the foundation walls & the center wall floor.



Photo #3 Center foundation wall- long direction of house



Photo #4 – Additional stringers and treads added. Newel post to be replaced with 4 x 4 posts per attached drawing.



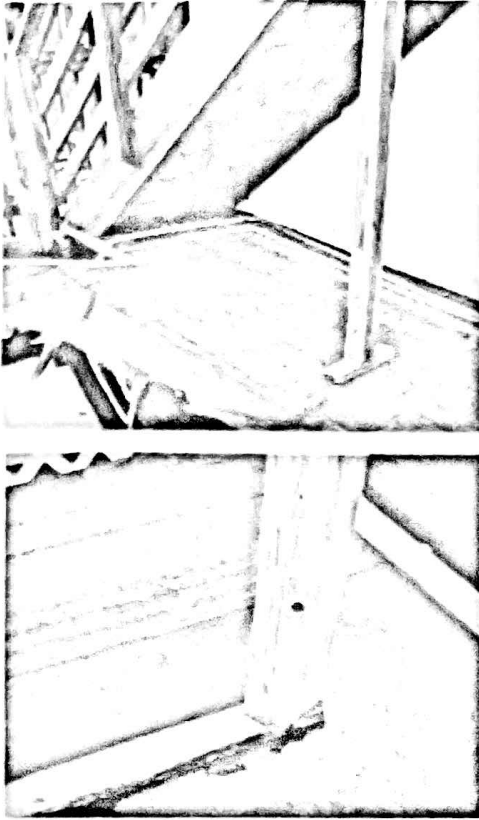


Photo #5 – Add posts and beam at center of star stringer per drawings Also Add bracing to (2) existing posts supporting the third story deck per S1 of 1 drawing.

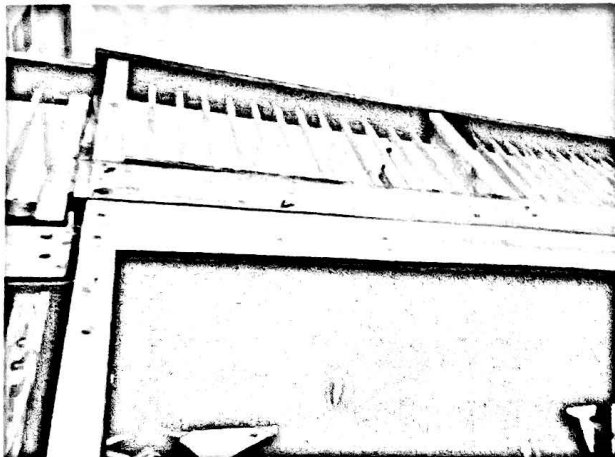


Photo #6 – Additional beam already added.

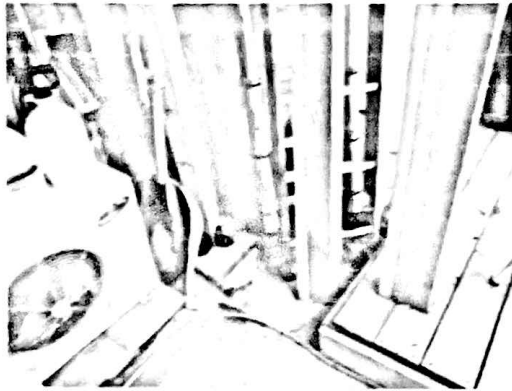


Photo #7 - Additional posts added post base anchorage added. Additional 2x's added to existing posts. Screw 2x's better to posts with 2-7/8" head lock screws at 16" on center.

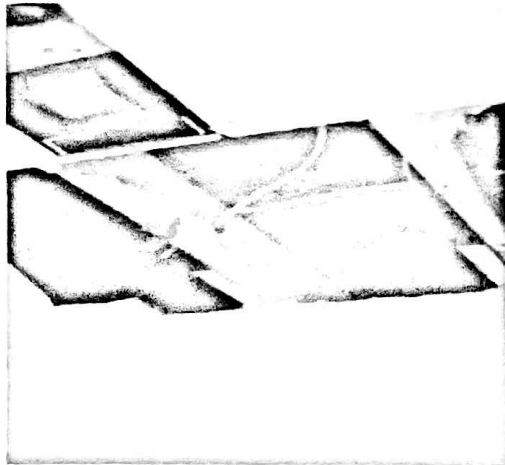


Photo #8 - Ceiling/Roof joists 2 x 8" at 16" OC - Third Floor

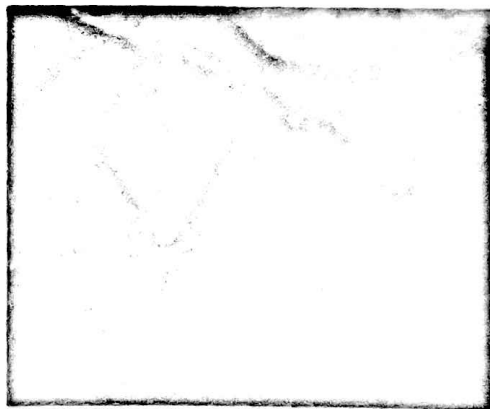
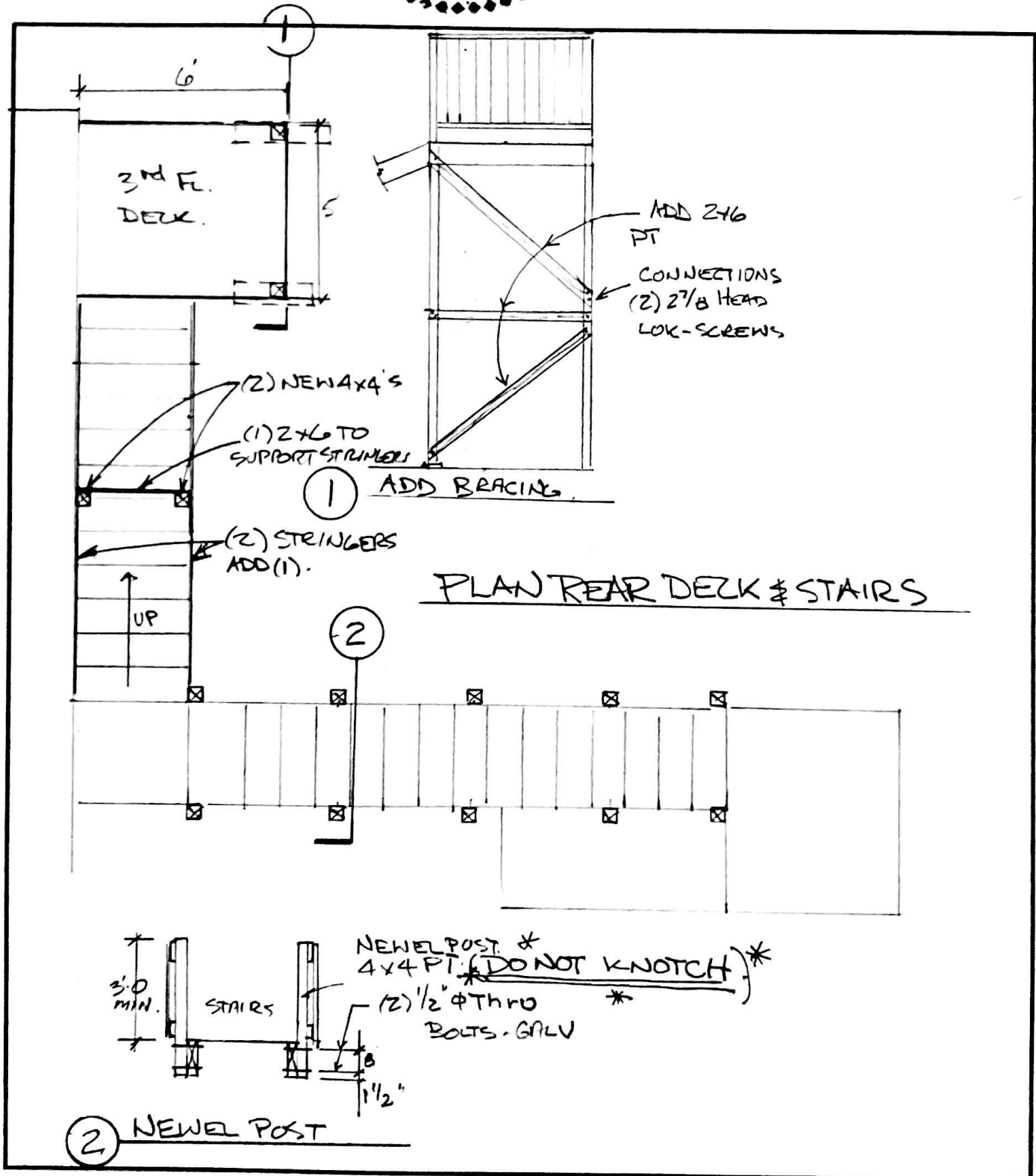
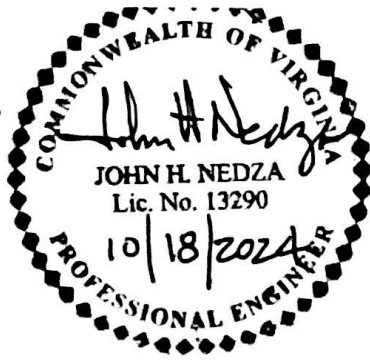


Photo #9 - Third floor ceiling rafters with borescope- Third Floor



Dear Members of The Board,

As of today, October 25, 2024, it is undisputable that property at 1321 Porter St is a safe structure. After 5 separate engineers independently determined the building to be a safe structure, showing zero stress indicators, it is impossible that David Alley, who did not even see the property firsthand, could have determined it to be so dangerous and/or likely to collapse that he could justify condemnation and the removal of 3 sets of tenants from their homes.

Per Mr. Alley's own written admissions of ignorance, there was not a single unsafe element of the property that he was able to identify, even after he chose to trespass and inspect the property 2 weeks after he condemned it.

It is clear that Mr. Alley is attempting to create controversy surrounding ownership of the property in an effort to distract from the fact that the building was never dangerous nor at risk of collapse. Mr. Alley allowed his misguided feelings to interfere with his ability to perform his clear and objective job functions as a civil servant to the community of the City of Richmond. That is why Councilwoman Robertson stepped in to put an end to Mr. Alley's illegal, feelings driven behavior, which was well outside of the confines of the Building Code.

The Code of Virginia is quantitative and enforceable through objective fact, not subjective assumptions, guesses, and feelings. The property at 1321 Porter St factually is and has been a safe structure. I respectfully request that this Notice of Violation be reversed.

Sincerely,

Sophia Oliveri, pm

RVA Home, LLC

September 27, 2024

Members of the Building Code Technical Review Board,

Sophia Oliveri has a 0% ownership interest in 1321 Porter St. LLC and a 0% ownership interest in the property at 1321 Porter St., Richmond VA 23224 and that was true on April 26, 2024 and January 7, 2021 as well. In January of 2021, Aly Hawash was the sole owner of 1321 Porter St. and he also has a 0% ownership interest in 1321 Porter St, LLC.

In April of 2024, Sophia Oliveri was actually a tenant who attempted to help the other tenants and the Department of Permits and Inspections, outside of the scope of her job, and then was permanently removed from her home of 10 years, by the Department of Permits and Inspections.

The facts are that the building is and always was safe, there were zero stress indicators per 5 engineers, the building has been occupied again since May 28, 2024, and, as the manager for the owner since it became an active business in May of 2024, I learned about the 3<sup>rd</sup> floor addition and I began the retroactive permitting process for the prior owner on June 7, 2024.

Emily Pinchbeck, Manager

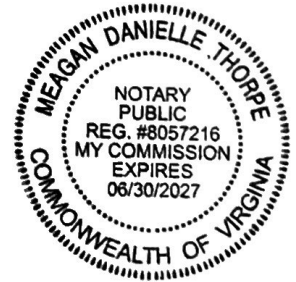
1321 Porter Street LLC.

**Individual Acknowledgement**

State/ Commonwealth of Virginia

County of Chesterfield

On this the 27<sup>th</sup> day of September 2024  
Day Month



Meagan Danielle Thore

Name of Notary Public

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City of Richmond  
Local Appeals Board  
August 21, 2024  
Meeting Minutes

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### MEETING MINUTES

**Date of Meeting:** August 21, 2024

**Meeting Time:** 10:00am

**Meeting Location:** City of Richmond City Hall 5<sup>th</sup> Floor Conference Room

**Board Members Present-** Tommy Davis (Chairman), Robert Easter, and Jeremy Davis

**LBBCA Secretary:** Keisha Felton

### APPEAL INFORMATION

**Appeal No.-** H01-24-067279

**Code Section Being Appealed:** 106.1

**Property Address with Citation Being Appealed:** 1321 Porter Street

**Appellant:** Sophia Oliveri

**City of Richmond Code Official-** David Alley

### MEETING

Chairman opened the meeting.

Secretary Read the Application of Appeal to start the meeting.

The Appellant presented her case and had an exchange in dialogue with the City of Richmond's Code Official David Alley, and members of the Board.

The Code Official was also given time to present his case and was questioned by the members of the board.

The floor was then closed for deliberation, and the members of the board began to further discuss the issues of the case in open forum.

The Board voted 3 to 0 in favor of the Code Officials decision, and upheld the violation issued.

The Case was closed at 10:27am.

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## State Building Code Technical Review Board Policy #32

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<b>Title:</b>	Appeals Application and Supporting Documentation
<b>Authority:</b>	Section 36-108 et seq. of the Code of Virginia
<b>Policy Statement:</b>	<p>It shall be the policy of the State Building Code Technical Review Board (Board) that the appeals application shall be the attached document and all requisite information on the appeals application shall be provided. It shall further be the policy of the Board that the following supporting documentation shall be submitted along with the appeals application:</p> <ol style="list-style-type: none"><li>1. Copy of the enforcement decision being appealed in accordance with VCC 119.9, VPMC 107.8, and VSFPC 112.9</li><li>2. Copy of the decision of the local government appeals board (if applicable) in accordance with VCC 119.9, VPMC 107.8, and VSFPC 112.9</li><li>3. Statement of relief sought shall be submitted along with the appeals application.</li></ol>
<b>Approval and Review:</b>	This Board policy was reviewed and approved on 11/15/2024.
<b>Supersession:</b>	This Board policy is new.
<b>Board Chair at Last Review:</b>	James R. Dawson
<b>DHCD Director:</b>	Bryan Horn

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**COMMONWEALTH OF VIRGINIA**  
**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**  
**State Building Codes Office and Office of the State Technical Review Board**  
**Main Street Centre, 600 E. Main Street, Suite 300, Richmond, Virginia 23219**  
**Tel: (804) 371-7150, Fax: (804) 371-7092, Email: sbco@dhcd.virginia.gov**

APPLICATION FOR ADMINISTRATIVE APPEAL

Regulation Serving as Basis of Appeal (check one):

- Uniform Statewide Building Code
  - Virginia Construction Code
  - Virginia Existing Building Code
  - Virginia Maintenance Code
- Statewide Fire Prevention Code
- Industrialized Building Safety Regulations
- Amusement Device Regulations

Appealing Party Information (name, address, telephone number and email address):

Opposing Party Information (name, address, telephone number and email address of all other parties):

Additional Information (required by the applicable code to be submitted with this application)

- Copy of enforcement decision being appealed
- Copy of the decision of local government appeals board (if applicable)

Additional Information (to be submitted with this application)

- Statement of specific relief sought

**CERTIFICATE OF SERVICE**

I hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 202\_\_, a completed copy of this application, including the additional information required above, was either mailed, hand delivered, emailed or sent by facsimile to the Office of the State Technical Review Board and to all opposing parties listed.

**Note:** This application must be received by the Office of the State Technical Review Board within five (5) working days of the date on the above certificate of service for that date to be considered as the filing date of the appeal. If not received within five (5) working days, the date this application is actually received by the Office of the Review Board will be considered to be the filing date.

Signature of Applicant: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_  
(please print or type)

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**From:** [Luter, Travis \(DHCD\)](#)  
**To:** [Keel, Linda \(linda.keel@compass-usa.com\)](mailto:linda.keel@compass-usa.com)  
**Subject:** Review Board - 2025 meeting dates  
**Date:** Monday, August 19, 2024 3:47:36 PM  
**Attachments:** [image001.png](#)

---

Good afternoon Ms. Linda.

Would you please reserve our normal meeting space, Henrico II and III, for the following dates (third Friday of each month) for Review Board meetings?

January 17, 2025  
February 21, 2025  
March 21, 2025  
April 18, 2025  
May 16, 2025  
June 20, 2025  
July 18, 2025  
August 15, 2025  
September 19, 2025  
October 17, 2025  
November 21, 2025  
December 19, 2025

Thank you,

**W. Travis Luter, Sr., CBO**

Secretary to the State Building Code Technical Review Board  
Code and Regulation Specialist  
Virginia Department of Housing and Community Development (DHCD)  
804-371-7163  
[travis.luter@dhcd.virginia.gov](mailto:travis.luter@dhcd.virginia.gov)



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# Appeals Training Report

## Completed 2024:

Smyth County – January 2, 2024 (9 attendees)

Town of Wytheville (VBCOA Region I) – January 4, 2024 (29 attendees)

Prince Edward County – January 25, 2024 (8 attendees)

Fairfax County – February 27, 2024 (15 attendees)

VBCOA Region III – March 14, 2024 (17 attendees)

City of Fredericksburg and Spotsylvania County – March 27, 2024 (14 attendees)

City of Newport News – April 12, 2024 (11 attendees)

Stafford County (LBFPCA) – April 25, 2024 (8 attendees)

City of Hampton – May 14, 2024 (13 attendees)

VBCOA Region IV – May 16, 2024 (20 attendees)

VBCOA Region VIII – July 18, 2024 (56 attendees)

Prince Edward County (Mock Hearing) – August 22, 2024 (9 attendees)

City of Portsmouth – October 3, 2024 (16 attendees)

## Scheduled for 2025:

None at this time

## Working to schedule for 2025:

Fairfax County LBBCA

Culpeper County

City of Harrisonburg LBBCA

City of Norfolk

City of Franklin

Southampton County

Counties of Surry and Sussex

Mecklenburg County

Town of Marion

VBCOA Region II LBBCA and code officials and staff

VBCOA Region VII LBBCA and code officials and staff