

**Muskegon Charter Township
Claim of Appeal Form
Rental Inspections Program**

Appeal Filed by: _____

Address: _____

City, St, Zip: _____

Phone : _____

Property Address being appealed : _____

Reason for appeal : _____

Please attach additional sheets if required. This form must be accompanied by the appeal fee to be processed. The current non-refundable fee is \$150.00. You will be notified at your above address of the date and time of the scheduled meeting. This form is to be filed with the Rental Inspections Administrator at the Muskegon Township Hall, 1990 E. Apple Ave. Questions should be directed to Toby Fredericksen, Rental Inspections Supervisor, 231-777-2555 ext. 1131.

Ordinance Excerpts:

Sec. 6-287. Appeal authorized.

Except as otherwise provided in this article, any person issued an order by the township in the course of enforcement of the provisions of this chapter or any other person affected by a township order or ruling issued pursuant to authority granted by this chapter, has the right to appear before the housing board of appeals to appeal the decision or interpretation made by the township. All appeals shall be filed, heard and decided in accordance with the provisions of this article.

Sec. 6-288. Time period for filing an appeal.

An appeal must be filed within 20 days of the date of any order or ruling being appealed. However, if an order required the correction of a cited violation within a shorter period of time, the appeal must be made within such shorter period. The housing board of appeals shall not have the power to extend the time limits provided for in this division.

Sec. 6-289. Effect of appeal on correction time limits.

An owner, occupant or responsible local agent who has been ordered to correct a violation within a specified period of time shall not be held accountable for any time which elapses between the time of filing an appeal and the time a decision is made by the housing board of appeals.

Sec. 6-290. Procedure for filing an appeal.

Any person wishing to make an appeal must fill out a claim of appeal form setting forth the order or ruling being appealed. The appellant must file the form with the township at a place to be designated by the housing board of appeals and which shall be noted on the claim of appeals form. The township will send a notice to the appellant regarding the date the appeal will be heard by the housing board of appeals. Notices of the hearing date will be by regular mail sent to the address stated on the claim of appeal. Failure of any owner, occupant or responsible local agent to receive notice will not cause the hearing or the decision of the housing board of appeals to be defective. The township shall notify the occupants of the affected premises of the hearing by regular mail or by placing a notice in the entryway of the dwelling unit. Any person requesting a claim of appeal form shall be notified of the hearings procedures established in section 6-292 and the standards for housing board of appeals decisions set out in section 6-294.

Sec. 6-291. Appeal fee.

An appeal fee established by resolution of the township board shall be submitted with any claim of appeal.

Sec. 6-292. Hearing procedures.

At any hearing of the housing board of appeals, the following procedures shall be followed:

- (1) Testimony of the appellant, the township and any witnesses shall be recorded.
- (2) The appellant or authorized agent of the appellant and the township employee who issued the order, notices or ruling shall be present.
- (3) A quorum of the housing board of appeals shall be present.
- (4) Minutes shall be prepared which identify all parties present, accurately summarize all pertinent statements made, include all evidence and records submitted and show all motions and actions and records of the vote of each member of the housing board of appeals.

Sec. 6-293. Decision by the appeals board.

After all evidence and testimony has been presented, the housing board of appeals shall affirm, modify or reverse the order or ruling being appealed. Any decision of the housing board of appeals modifying or reversing an order or ruling by the township shall require the concurring vote of a quorum.