



**MARSHALLTOWN  
MORE THAN EVER**

**CITY OF MARSHALLTOWN  
BUILDING BOARD OF APPEALS  
NOTICE OF PUBLIC MEETING  
CITY HALL COUNCIL CHAMBERS  
10 WEST STATE STREET  
FEBRUARY 19, 2026, 5:00 PM**

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**AGENDA**

**CALL TO ORDER**

**ROLL CALL**

Heidi Hogan, John Mahlstedt, David G. Schulze, Kellissa Thurston

**APPROVAL OF MEETING MINUTES**

1. Approval of September 9th, 2025 Meeting Minutes

**BUSINESS**

2. Consider Appeal Request for 306 Bromley Street

**ADJOURNMENT**

**MISSION STATEMENT**

The City of Marshalltown collaborates to provide a welcoming, safe, vibrant, and growing community.

## **Building Board of Appeals**

Meeting Minutes – September 9<sup>th</sup>, 2025

Meeting was called to order at 5:00 PM in the City Council Chambers at 10 W. State Street

### **1. Roll Call:**

Present: Hogan, Mahlstedde, Thurston, & Schulze

Absent: Simms

### **2. Approval of Meeting Minutes from July 9<sup>th</sup>, 2025**

Motion to approve made by Schulze, seconded by Mahlstedde.

All ayes upon roll call. Motion Carried.

### **3. Consider Appeal Application for 3702 S Center Street**

Clayton Ender, Assistant Director of Housing and Community Development, presented the staff report.

Applicant explained purpose of the building is for storage and not as a primary classroom facility. There are occasions that students are in the area and when that happens port-a-potties are available at those times.

Schulze inquired what is being stored in the buildings. Applicant responded it will primarily be large vehicles stored in the building.

Schulze inquired about accessibility of the restrooms in the other building including timing. Applicant responded that the restrooms would be available year-round.

Thurston inquired if there were any chemicals stored in the building that may need an emergency eye wash station or equivalent. Applicant responded that the purpose of the building is for storage rather than maintenance of vehicles so the chances of needing the emergency eyewash station is limited.

Motion by Schulze to approve the appeal application which allows for a restroom facility to be located at a distance of 800 feet in-lieu of the normal maximum requirement of 500 feet. Access to the restroom shall be provided along a dedicated pedestrian pathway. Use of the building shall be limited to storage only, no vehicle maintenance allowed. Seconded by Mahlstedde.

Roll Call:

Hogan – abstain

Mahlstedde – Yes

Simms – absent

Thurston – Yes

Schulze – Yes

Meeting Adjourned at 5:18 PM

# MARSHALLTOWN

I O W A

HOUSING & COMMUNITY DEVELOPMENT

Deb Millizer, Director  
Clayton Ender, Assistant Director  
24 North Center Street  
Marshalltown, IA 50158-4911  
Tel - (641) 754-5756  
Fax - (641) 754-5717

**TO:** Board of Adjustment  
**FROM:** Becky Deemer/Clayton Ender/Deb Millizer  
**DATE:** 02/16/26  
**RE:** Appeal Application for 306 Bromley St

<b>City Staff Contact:</b>	Becky Deemer <a href="mailto:bdeemer@marshalltown-ia.gov">bdeemer@marshalltown-ia.gov</a> Clayton Ender <a href="mailto:cender@marshalltown-ia.gov">cender@marshalltown-ia.gov</a> Deb Millizer <a href="mailto:dmillizer@marshalltown-ia.gov">dmillizer@marshalltown-ia.gov</a>
<b>Property Owner &amp; Applicant:</b>	Clifford Elwood 306 Bromley St Marshalltown, IA 50158
<b>Building Board of Appeals Authority:</b>	An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equivalent or better form of construction is proposed. The board shall not have the authority to waive requirements of this code or interpret the administration of this code.
<b>Synopsis:</b>	Attached is a run down of all the correspondence between the city and the applicant in chronological order starting on August 21, 2024.  Due to nature of the violations and the extended time frame already granted to the appellant with no resolution achieved the code official has commenced a Denial of the Certificate of Compliance.  Attached is a copy of the Denial of the Certificate of Compliance, which was mailed to the property owner.
<b>Appeal Request:</b>	Attached to this memo is a copy of the complete appeal request form.
<b>Recommendation:</b>	Staff recommends that the Board affirm that all units, common areas and exterior items, along with building permits be completed within 30

**CITY COUNCIL**

Sue Cahill, Melisa Fonseca, Mark Mitchell, Greg Nichols,  
Jeff Schneider, Gary Thompson, Marco A Yopez-Gomez



(thirty) days of a determination of the Building Board of Appeals or the entire building vacated until such repairs are done.

**Attachments:**

Inspection scheduling letters  
No-show scheduling letters  
Letters to owner  
Letters from the owner  
Inspection letters  
Denial of the Certificate of Compliance  
Run-down of all the correspondence  
Appeal request form and documents sent with appeal

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Sue Cahill, Melisa Fonseca, Mark Mitchell, Greg Nichols,  
Jeff Schneider, Gary Thompson, Marco A Yopez-Gomez



Inspection scheduling letter dated August 21, 2024 for inspection on September 25, 2024 – This inspection was a no-show inspection by the owner. Owner called back and rescheduled for Oct 21, 2024 at 2:00 PM. A letter dated September 21, 2024 was also sent to the owner for the inspection on Oct 21, 2024.

Owner called on October 18, 2024 to cancel inspection on October 21, 2024.

Inspection scheduling letter dated October 24, 2024 for inspection on December 2, 2024

December 2, 2024 – Inspection was done and notice by the inspector that the property went from 12 units to 10 units with no permits. Called owner to explain that he needed to get building and trades permits for the work being done.

Since no response or permits issued a letter sent on December 23, 2024 explaining permits needed.

January 29, 2025 – Received letter dated January 25, 2025 from Clifford saying he was meeting with the city building inspector to see what permits are needed and expected to have them filed by February 10, 2025

Inspection scheduling letter dated February 27, 2025 for inspection on April 14, 2025

April 14, 2025 when inspector arrived for inspection owner was on site and said he needed to reschedule.

Inspection letter dated April 14, 2025 for inspection on May 12, 2025.

May 12, 2025 when inspector arrived for inspection owner was on site and said he needed to reschedule.

Inspection letter dated May 13, 2025 for inspection on June 16, 2025

June 5, 2025 – Received letter dated May 14, 2025 from Clifford, stating that he had spoken to the inspector a week earlier. Also stated he sent a letter last month that was not received and, in that letter, state that there were no tenants in the north building. He also changed the mailing address to 306 Bromley St. Postmark on envelope June 2, 2025

June 9, 2025 a letter was sent to the owner stating that all units with fail items need to pass along with common areas and exterior items (staircase must be completed and inspected by V & K). And that all other units must pass within 6 months of the building permit that was issued in February 2025. Another inspection was scheduled for July 21, 2025.

Inspection scheduling letter dated July 22, 2025 for inspection on August 18, 2025, for all remaining items that did not pass the July 21, 2025 inspection, The inspection was done on July 21, 2025 with 6 units still vacant and under repair. Only passing 2 of the 4 units that had been inspected, no common areas passed, nor the exterior stair cases.

August 18, 2025 – Received letter dated August 13, 2025 from Clifford, he said he was confused about the timeline. Also saying that he would like an extension for the next inspection for the 3<sup>rd</sup> week of September, saying he would have the 6 vacant units complete and ready to inspect.

August 27, 2025 letter sent to owner for the missed inspection on August 13, 2025. In this letter it goes over the timeline, permits and again how all work needed to be done by August 18, 2025. New inspection scheduled for September 29, 2025.

Received a letter from owner on September 18, 2025 dated September 18, 2025. The letter stated he had someone drop of his last letter to me on August 19, 2025, also that he had a break-in in mid-August, then on Sept 1 had a landing collapse, and had V & K there on September 9, 2025 to get proper permits. Also V & K inspected the 2 apartments that are being combined into 1. He also wanted for his next inspection to be October 20, 2025, and repairs should be completed.

Inspection scheduling letter dated September 19, 2025 sent, did not have available time to set up inspection for October 20, 2025, so set up for October 27, 2025.

October 22, 2025 – Received letter from Clifford requesting more time stating issues with tenants and an inspection the Monday before Thanksgiving.

Inspection scheduling letter dated October 24, 2025 – Letter sent with new inspection date of December 1, 2025.

December 1, 2025 owner did not show for the inspection but tenants let the inspector into unit 9 & 11. First time inspection for Unit 9, there were items missing and work not done. Unit 11 had both of its fail items completed

Denial of Compliance letter sent December 19, 2025 due to failure of not getting violations completed and the extended time frame already given over the last year to get items completed.

On January 12, 2026 received a certified letter dated January 7, 2026 proposing a schedule to resolve the situation. I then sent the documents to the city attorney to review and give me guidance on how to proceed. In the meantime, on January 16, 2026 the owner came in and submitted this appeal.

# MARSHALLTOWN

I O W A

Housing & Community Development's  
Housing Inspection Office

36 N. Center Street  
Marshalltown IA 50158-5001  
Housing Inspection – Tel – (641) 754-6582  
Fax – (641) 754-5742  
Becky Deemer, Ext. 3105 or (641) 750-3081  
bdeemer@marshalltown-ia.gov

August 21, 2024

Clifford Elwood  
3916 Potsdam Ave N #4265  
Sioux Falls, SD 57104

The following rental property is due for the required rental housing inspection.

306 Bromley St – 12 units  
September 25, 2024 at 11:00 AM  
8418-26-476-016

It is time for your rental property listed above to be inspected. The City has contracted with Safe Building to conduct this inspection. They will send the inspection results to the city rental inspection office. The office will then send a copy of the results to you along with a follow-up inspection date and time if needed.

There have been a few noticeable changes in the code. Smoke detectors are now required in every bedroom (sleeping room) and one in the hallway centrally located outside the bedroom area, along with one alarm on every level of the home. Locate the smoke alarm on the room's flat ceiling or on the wall within 12" of the ceiling. Carbon monoxide detectors are now required centrally located outside the bedroom area, and on any floor with a fuel-burning appliance (i.e.: gas stove, furnace, fireplace). Also, in the electrical panels the breakers must be identified.

Scheduling changes should be handled through the City at least 2 business days (48 business hours) in advance. Contact Becky with the city rental inspection office at (641) 754-6582. If the inspector arrives at the property you will be charged the inspection fee.

Inspection questions can be directed to Safe Building at (515) 333-4161 or email [office@safebuildingiowa.com](mailto:office@safebuildingiowa.com).

The City will send you an invoice for any applicable fees following the inspection. For more information on the rental inspection program please visit the city website at <http://www.marshalltown-ia.gov/rental>

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September 27, 2024

Clifford Elwood  
3916 Potsdam Ave N #4265  
Sioux Falls, SD 57104

See enclosed letter that was mailed to you on August 21, 2024 for an inspection on September 25, 2024 at 11:00 AM. The inspector arrived and waited about 10 minutes and no one showed for the scheduled inspection and left voicemail. It is your responsibility to contact the City rental inspection office with scheduling changes. You will be charged the inspection fee for this missed inspection.

The inspection for the following rental property is rescheduled to the following date and time below.

306 Bromley St – 12 units  
8418-26-476-016  
October 21, 2024 at 2:00 PM

It is time for your rental property listed above to be inspected. The City has contracted with Safe Building to conduct this inspection. They will send the inspection results to the city rental inspection office. The office will then send a copy of the results to you along with a follow-up inspection date and time if needed.

**There have been a few noticeable changes in the code. Smoke detectors need to be listed complying with UL 217. Smoke detectors are now required in every bedroom (sleeping room) and one in the hallway centrally located outside the bedroom area, along with one alarm on every level of the home. Locate the smoke alarm on the room's flat ceiling or on the wall within 12" of the ceiling. Carbon monoxide detectors are now required centrally located outside the bedroom area, and on any floor with a fuel-burning appliance (i.e.: gas stove, furnace, fireplace). Also, in the electrical panels the breakers must be identified.**

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October 24, 2024

Clifford Elwood  
3916 Potsdam Ave N #4265  
Sioux Falls, SD 57104

On October 18, 2024 you called to reschedule your inspection on Monday October 21, 2024. Any scheduling change needs to be done 48 business hours before the scheduled inspection. You will be charged the inspection fee for the late cancellation. You also no-showed an inspection September 25, 2024 at 11:00 AM. You then called the office back and set the inspection for October 21, 2024 at 2:00 PM. The property has been rescheduled and must be inspected on the date and time listed below. If you are unable to be here then it is your responsibility to have a person represent you at the inspection.

The inspection for the following rental property is rescheduled to the following date and time below.

306 Bromley St – 12 units  
8418-26-476-016  
December 2, 2024 at 2:00 PM

It is time for your rental property listed above to be inspected. The City has contracted with Safe Building to conduct this inspection. They will send the inspection results to the city rental inspection office. The office will then send a copy of the results to you along with a follow-up inspection date and time if needed.

**There have been a few noticeable changes in the code. Smoke detectors need to be listed complying with UL 217. Smoke detectors are now required in every bedroom (sleeping room) and one in the hallway centrally located outside the bedroom area, along with one alarm on every level of the home. Locate the smoke alarm on the room's flat ceiling or on the wall within 12" of the ceiling. Carbon monoxide detectors are now required centrally located outside the bedroom area, and on any floor with a fuel-burning appliance (i.e.: gas stove, furnace, fireplace). Also, in the electrical panels the breakers must be identified.**

Scheduling changes should be handled through the City at least 2 business days (48 business hours) in advance. Contact Becky with the city rental inspection office at (641) 754-6582.

Inspection questions can be directed to Safe Building at (515) 333-4161 or email [office@safebuildingiowa.com](mailto:office@safebuildingiowa.com).

The City will send you an invoice for any applicable fees following the inspection. For more information on the rental inspection program please visit the city website at <https://www.marshalltown-ia.gov/rental>

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December 23, 2024

Clifford Elwood  
3916 Potsdam Ave N #4265  
Sioux Falls, SD 57104

Re: 306 Bromley St – PIN 8418-26-476-016


Dear Mr. Elwood,

The rental property at 306 Bromley St, Marshalltown was inspected on December 2, 2024. At that time, it was told to the inspector that it is now 10 units not 12 as registered. After speaking with our building inspector, he told me that you need to get a building and trades permit for the work being done. I made a phone call to you and informed you that you needed to do that immediately and before any more work is to be done. As to date it appears you have not done so.

Please submit the permits immediately so that the inspection can proceed. I will send out a list of fail items as soon as the permits have been submitted and issued.

If you have questions about the permits please contact Jacob Spratt with V & K 515-850-2980. If you have questions regarding the rental inspection please contact me at 641-754-6582.

Thank You,



Becky Deemer  
Housing Inspector

Recd 1/29/25  
8418-26-476-016  
306 Bomkeep St

Marshalltown Rental Inspection  
36 N Center St  
Marshalltown, IA 50158

25 January 2025

Dear Becky,

I noticed that you called my other phone on Thursday. That number is a phone that I don't typically carry with me and seldom use. That phone was at a very rural and remote location so the message you apparently left was indiscernible. I assume you want to know the status of the apartments. We have had previous contact but using the number 605-323-9540. That is the primary number I've used to call, and you have returned on.

I am a veteran with a service connected disability. I receive care in Minneapolis, Sioux Falls and, for emergent care, Des Moines. As a result, my mail goes through a mail server that logs all received correspondence and then forwards it on to me. Letters you send have taken up to 6 days just to arrive at the server. I then have it forwarded to whatever location I am at. I ask your understanding for delays.

The gentleman that was doing the minor repairs went to Mexico for the holidays. I had expected him back by mid-January. However, I haven't heard from him, so everything has been at a standstill.

I have an appointment with the city building inspector to go over the need for any permits that may be needed. In reviewing the code information, I don't believe any of the repairs require a permit. But I intend to follow whatever instruction the inspector gives me.

I have brought in tradesman to advise on any permits that are required, Any permits required will be pulled by them.

It is my expectation that any required permits will be filed NLT 10 February 2025.

Sincerely,

Cliff Elwood

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February 27, 2025

Clifford Elwood  
3916 Potsdam Ave N #4265  
Sioux Falls, SD 57104

Date of Inspection: December 2, 2024  
Rental Address: 306 Bromley St  
PIN: 8418-26-476-016  
Account: 124477

All fail items/code violations are listed below. If you have questions about any of the items listed please contact Safe Building at (515) 333-4161.

The inspector found that the owner took 4 units and combined them to make 2, so went from 12 units to 10 units. The building department was contacted and the owner met with the inspector and a building permit needed to be completed. The permit is still needing to be paid for at this time. Below are the rest of the items that had failed on the day of the inspection. All vacant units that are undergoing remodeling must be completed within 6 months.

Units 1, 3, 4, 7, 9 and 12 – are all vacant and under repair. Must have complete within 6 months and before occupancy.

## Unit 2

1. Kitchen outlets (2) are not GFI protected,
2. Need to install smoke alarm in living area (UL 217 listing required)
3. Need to install smoke alarm in bedroom (UL 217 listing required),
4. Bathroom plans to cover windows and install exhaust fan,
5. Bathroom sink drain is not complete,
6. Hall light switch cover is missing.

## Unit 8

1. Kitchen light switch cover is missing
2. Outlet covers are missing,
3. Need to install smoke alarm in bedroom 1 (UL 217 listing required)
4. Need to install smoke alarm in bedroom 2 (UL 217 listing required),
5. Living area smoke alarm is missing, (UL 217 listing required)
6. Bedroom 1 light switch cover is missing,
7. Bathroom outlets covers are missing,
8. Mechanical closet ceiling penetrations need to be fire resistant sealed.

## Unit 10

1. Kitchen outlet cover left of stove is missing,
2. Need to install smoke alarm in bedroom 1 (UL 217 listing required)
3. Need to install smoke alarm in bedroom 2 (UL 217 listing required).

#### Unit 11

1. Kitchen floor needs repair,
2. Bathroom outlet is not GFI protected,
3. Bathroom wall paint is peeling,
4. Hallway smoke alarm is not working, (UL 217 listing required)
5. Need to install smoke alarm in bedroom 1 (UL listing required)
6. Need to install smoke alarm in bedroom 2 (UL listing required),
7. Bedroom entry door is missing.

#### Common

1. All units need to have an accessible fire extinguisher.
2. Both common interior stairways need working emergency lights on upper floor,
3. Smoke alarm on upper floor ceiling (UL 217 listing required)
4. Emergency light/exit sign above exit door.

#### Exterior

1. Rear exterior stairways (2), including decks, guards and handrails are not structurally sound and not properly anchored. Need to be rebuilt according to engineering and building code with **permit from the city**.
2. Roof soffit missing on rear of building.

**THIS IS NOT A FINAL LIST AND MAY BE ADDED TO DURING NEXT INSPECTION.**

A follow up inspection is scheduled for April 14, 2025 at 9:00 AM

Scheduling changes should be handled through the City at least 2 business days (48 business hours) in advance. Contact Becky with the city rental inspection office at (641) 754-6582.

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bdeemer@marshalltown-ia.gov

April 14, 2025

Clifford Elwood  
3916 Potsdam Ave N #4265  
Sioux Falls, SD 57104

Date of Inspection: December 2, 2024  
Rental Address: 306 Bromley St  
PIN: 8418-26-476-016  
Account: 124477

The inspector arrived for the inspection on April 14, 2025 and the owner was on site and told him that he needed to cancel and reschedule. There will be a \$90 charge for the late cancellation of the inspection today.

All fail items/code violations are listed below. If you have questions about any of the items listed please contact Safe Building at (515) 333-4161.

The inspector found that the owner took 4 units and combined them to make 2, so went from 12 units to 10 units. The building department was contacted and the owner met with the inspector and a building permit needed to be completed. The permit is still needing to be paid for at this time. Below are the rest of the items that had failed on the day of the inspection. All vacant units that are undergoing remodeling must be completed within 6 months.

Units 1, 3, 4, 7, 9 and 12 – are all vacant and under repair. Must have complete within 6 months and before occupancy.

## Unit 2

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## Unit 8

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6. Bedroom 1 light switch cover is missing,
7. Bathroom outlets covers are missing,
8. Mechanical closet ceiling penetrations need to be fire resistant sealed.

Unit 10

1. Kitchen outlet cover left of stove is missing,
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Unit 11

1. Kitchen floor needs repair,
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Common

1. All units need to have an accessible fire extinguisher.
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4. Emergency light/exit sign above exit door.

Exterior

1. Rear exterior stairways (2), including decks, guards and handrails are not structurally sound and not properly anchored. Need to be rebuilt according to engineering and building code with **permit from the city**.
2. Roof soffit missing on rear of building.

**THIS IS NOT A FINAL LIST AND MAY BE ADDED TO DURING NEXT INSPECTION.**

A follow up inspection is scheduled for May 12, 2025 at 11:00 AM

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bdeemer@marshalltown-ia.gov

May 13, 2025

Clifford Elwood  
3916 Potsdam Ave N #4265  
Sioux Falls, SD 57104

Date of Inspection: December 2, 2024  
Rental Address: 306 Bromley St  
PIN: 8418-26-476-016  
Account: 124477

The inspector arrived for the inspection on May 13, 2025 and the owner was on site and told him that he needed to cancel and reschedule. There will be a \$90 charge for the late cancellation of the inspection today.

All fail items/code violations are listed below. If you have questions about any of the items listed please contact Safe Building at (515) 333-4161.

The inspector found that the owner took 4 units and combined them to make 2, so went from 12 units to 10 units. The building department was contacted and the owner met with the inspector and a building permit needed to be completed. The permit is still needing to be paid for at this time. Below are the rest of the items that had failed on the day of the inspection. All vacant units that are undergoing remodeling must be completed within 6 months.

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2. Roof soffit missing on rear of building.

**THIS IS NOT A FINAL LIST AND MAY BE ADDED TO DURING NEXT INSPECTION.**

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8418-26-476-016  
Rev'd 6/5/25  
BD

Marshalltown Rental Inspection

36 N Center Street

Marshalltown, IA 50158

14 May 2025

IN RE: Bromley Apartments

Dear Becky,

I spoke with the inspector earlier in the week. As I stated in my letter last month I have no tenants in the north apartments. The tenant that was in jail got out by the end of the month but has not paid rent and has been given a 3-day notice. So I again will be without tenants in that section. I continue to use this vacancy period to do repairs as I discussed with Jake.

The VA has been sending me to many different locations for exams and consults. As a result I'm having difficulty keeping current with my mail. I have spoken to the post office in Marshalltown and they will now allow me to have a box at the apartments. The address will be Bromley office, 306 Bromley St, Marshalltown, IA 50158. Would you please start sending correspondence to that address.

Thank you

Cliff Elwood

8418-26-476-016  
Rev'd 6/5/25  
BD

Marshalltown Rental Inspection  
36 N Center Street  
Marshalltown, IA 50158

14 May 2025

IN RE: Bromley Apartments

Dear Becky,

I spoke with the inspector earlier in the week. As I stated in my letter last month I have no tenants in the north apartments. The tenant that was in jail got out by the end of the month but has not paid rent and has been given a 3-day notice. So I again will be without tenants in that section. I continue to use this vacancy period to do repairs as I discussed with Jake.

The VA has been sending me to many different locations for exams and consults. As a result I'm having difficulty keeping current with my mail. I have spoken to the post office in Marshalltown and they will now have allow my to have a box at the apartments. The address will be Bromley office, 306 Bromley St, Marshalltown, IA 50158. Would you please start sending correspondence to that address.

Thank you

Cliff Elwood

# MARSHALLTOWN

I O W A

Housing & Community Development's  
Housing Inspection Office

36 N. Center Street  
Marshalltown IA 50158-5001  
Housing Inspection – Tel – (641) 754-6582  
Fax – (641) 754-5742  
Becky Deemer, Ext. 3105 or (641) 750-3081  
bdeemer@marshalltown-ia.gov

June 9, 2025

Clifford Elwood  
Bromley Office  
306 Bromley St  
Marshalltown, IA 50158

Dear Clifford,

You indicated in your letter dated May 14, 2025 that you sent a letter last month, the office did not receive a letter from you. The last one that was received was dated January 25, 2025.

The inspection still has to be done and passed since there are units that are being occupied.

Attached you will find the last inspection report that was mailed to you on May 13, 2025 for the inspection on June 16, 2025.

The units that have fail items listed are those that were occupied during the inspection on December 2, 2024 and these units must pass the inspection listed below. All common areas and exterior items (staircase must be completed and inspected by Jake with V&K) listed must pass on the inspection below. All units will need to have smoke detectors (UL 217 listed) installed and in proper working condition.

If these items do not pass you may be forced to vacate all the units in the buildings.

All other units must pass inspection within 6 months of the building permit that was issued in February of 2025.

A follow up inspection is scheduled for July 21, 2025 at 9:00 AM.

Thank you,

Becky Deemer  
Housing Inspector

# MARSHALLTOWN

I O W A

Housing & Community Development's  
Housing Inspection Office

36 N. Center Street  
Marshalltown IA 50158-5001  
Housing Inspection – Tel – (641) 754-6582  
Fax – (641) 754-5742  
Becky Deemer, Ext. 3105 or (641) 750-3081  
bdeemer@marshalltown-ia.gov

July 22, 2025

Clifford Elwood – Bromley Office  
306 Bromley St  
Marshalltown, IA 50158

Date of Inspection: July 21, 2025  
Rental Address: 306 Bromley St x10  
PIN: 8418-26-476-016  
Account: 124477

Units 1, 3, 4, 7, 9 and 12 – are all vacant and under repair. Must have complete within 6 months of the building permit that was issued in February of 2025, that means that these need to pass in August of 2025.

Unit 2

1. Bathroom plans to cover windows and install exhaust fan, - **NOT CORRECTED**
2. **New - Fire extinguisher is empty**

Unit 8 – Pass

Unit 10 – Pass

Unit 11

1. **New - Bathroom light switch cover is missing.**
2. **New - Open breaker in electrical panel.**

Common

1. All units need to have an accessible fire extinguisher. - **NOT CORRECTED**
2. Both common interior stairways need working emergency lights on upper floor, - **NOT CORRECTED**
3. Smoke alarm on upper floor ceiling (UL 217 listing required) - **NOT CORRECTED**
4. Emergency light/exit sign above exit door. - **NOT CORRECTED**

Exterior

1. Rear exterior stairways (2), including decks, guards and handrails are not structurally sound and not properly anchored. Need to be rebuilt according to engineering and building code with **permit from the city**. - **NOT CORRECTED** as stated in the letter dated June 9, 2025 you need to have the staircase completed and inspected by Jake with V & K.

**THIS IS NOT A FINAL LIST AND MAY BE ADDED TO DURING NEXT INSPECTION.**

A follow up inspection is scheduled for August 18, 2025 at 9:00 AM

Scheduling changes should be handled through the City at least 2 business days (48 business hours) in advance. Contact Becky with the city rental inspection office at (641) 754-6582.

Rec'd  
8/18/25

Marshalltown Housing Inspection

36 N Center St

Marshalltown, IA 50158

13 August 2025

Your latest inspection report is inconsistent with a previous letter that had my completion deadline as October 2025. Also, I'm confused about the timeline of a permit issued in February 2025. I had not applied for work in apartments except for a small partition wall in apartment 4. I have had Jake review the things I am working on and he deemed most of it repair issue, like placing drywall over decaying plater to stabilize. Or replacing carpet or flooring. I am a disabled veteran, and my process is slower than would probably be necessary. I have had a hospitalization and a significant amount of outpatient care at the VA hospital in Minneapolis. My disability does impact the pace I work. I ask for reasonable accommodation as I work through these limitations. The units were generally less than good condition and I pride myself on making a nice living environment for tenants that are generally lower income or just recovering from homelessness.

Please extend my next scheduled inspection to the 3<sup>rd</sup> week of September. At that time I should have 1,2,3,4, 7 and 9 complete and ready for inspection. I have filled out permit for repair of fire escape stairs and will work with Jake on this.

Thank you,

Cliff Elwood

# MARSHALLTOWN

I O W A

Housing & Community Development's  
Housing Inspection Office

36 N. Center Street  
Marshalltown IA 50158-5001  
Housing Inspection – Tel – (641) 754-6582  
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Becky Deemer, Ext. 3105 or (641) 750-3081  
bdeemer@marshalltown-ia.gov

August 27, 2025

Clifford Elwood – Bromley Office  
306 Bromley St  
Marshalltown, IA 50158

Date of Inspection: August 18, 2025 – No Show  
Rental Address: 306 Bromley St x10  
PIN: 8418-26-476-016  
Account: 124477

On your letter dated August 13, 2025 which I did not receive until August 18, 2025 you state that my last report is inconsistent with a previous letter that you had a completion deadline as October 2025. I have enclosed the inspection report dated February 27, 2025 saying that “Units 1, 3, 4, 7, 9 and 12 – are all vacant and under repair. Must have complete within 6 months and before occupancy.” The very first letter was sent to you on August 21, 2024 for inspecting your units and you have continually either no showed or cancelled inspections and still have not completed the units. In none of the letters or paperwork I have sent to you does it say that you have until October 2025.

I verified that you got a building permit to turn two units into one unit. The building inspector has not been back since the one time that he met with you. The Safe Building inspector has said that you actually took 4 units and converted them into 2 units. That is not what the building permit said. I also verified with the building department that you have not taken out a permit for either stairways and decks on the east side of the building. You will need to contact the Building Department, Clayton Ender 641-754-5756 to get all of this cleared up as to what you need. As of the date of this letter no other building permits have been submitted. Before any Certificate of Compliance is issued for this property all items below must be taken care of along with the Building Department signing off on all work. The rental inspection is now scheduled for September 29, 2025 at 12:30 PM.

Below is wording that has been on reports since July 22, 2025. However, on the report dated February 27, 2025 it said “Units 1, 3, 4, 7, 9 and 12 – are all vacant and under repair. Must have complete within 6 months and before occupancy.” Which would put compliance needing to be in August of 2025.

Units 1, 3, 4, 7, 9 and 12 – are all vacant and under repair. Must have complete within 6 months of the building permit that was issued in February of 2025, that means that these need to pass in August of 2025.

Unit 2

1. Bathroom plans to cover windows and install exhaust fan, - **NOT CORRECTED**
2. **New - Fire extinguisher is empty**

Unit 8 – Pass

Unit 10 – Pass

Unit 11

1. New - Bathroom light switch cover is missing.
2. New - Open breaker in electrical panel.

Common

1. All units need to have an accessible fire extinguisher. - **NOT CORRECTED**
2. Both common interior stairways need working emergency lights on upper floor, - **NOT CORRECTED**
3. Smoke alarm on upper floor ceiling (UL 217 listing required) - **NOT CORRECTED**
4. Emergency light/exit sign above exit door. - **NOT CORRECTED**

Exterior

1. Rear exterior stairways (2), including decks, guards and handrails are not structurally sound and not properly anchored. Need to be rebuilt according to engineering and building code with **permit from the city**. - **NOT CORRECTED** as stated in the letter dated June 9, 2025 you need to have the staircase completed and inspected by Jake with V & K.

**THIS IS NOT A FINAL LIST AND MAY BE ADDED TO DURING NEXT INSPECTION.**

A follow up inspection is scheduled for September 29, 2025 at 12:30 PM

Scheduling changes should be handled through the City at least 2 business days (48 business hours) in advance. Contact Becky with the city rental inspection office at (641) 754-6582.

Marshalltown Housing Inspection

36 Center street

Marshalltown, IA 50158

Rec'd  
9/15/25

18 Sept 2025

Becky,

I meant to get this response to you immediately after I met with Jake on the 9<sup>th</sup> but had some health issues that side-tracked me and pulled me out of town. I try to hand deliver my responses to you when possible. Interestingly, you stated that you didn't get my last letter until the 18<sup>th</sup> of August. I wrote it on the 13<sup>th</sup> and then gave it to someone to deliver to you the next day as I had appointments at the VA. She text me about 9:40 the next morning and told me she dropped it off with the girl at the window, the woman opened it to see where to direct it and stated that she would give it to Becky. I also had her pick up a building permit at that time. The fact that she had those details has me thinking she did in fact drop it off. I'm not sure what happened from then on. Also, your letter is dated 27 August 2025 but postmarked 2 Sept. and arrived on the 4<sup>th</sup>.

I had a break-in in mid-August and the thieves stole virtually all of my tools while I was out of town. Local law enforcement knows who the main suspect is and has seen him with some of the stolen items but as of yet has not made an arrest or recovered anything. This has caused a delay in my progress.

On 1 September I had a landing collapse that required immediate repairs to tear off the entire entry landing and steps. I had Jake over on 9 September and discussed the repair and got proper permits for this and the other external stairs that need repair. As this is a priority it has impeded my progress on interior work. I have the necessary permits for the exterior landings and steps and will have them inspected as required.

Jake inspected the 2 apartments that are being combined to make a 3 bedroom unit. Jake termed is as turning 2 nonfunctional units into 1 functional unit. This building was at one time a single unit that housed the nursing students from the hospital. The only modification that was necessary was moving the entry door and the permit to add a partition wall, which was already in place when Jake inspected. The remaining work was simply drywall over

existing degrading plaster and painting and floor covering replacement. Jake considered drywall over degraded plaster as maintenance. I have not completed this.

I realize my slow pace seems counter intuitive for a landlord to leave units vacant. But I would rather make the required maintenance repairs without tenants inside. It is difficult to work around people. These units have been allowed to degrade to a level that is unacceptable to me even if they are acceptable by city standards. I want to give people a reasonably attractive affordable place to live. I have taken many homeless with the help of Bridge Home or salvation army or other charity organizations. And I have absorbed many tens of thousands in losses from this approach. Thus I don't use a lot of subs except for the trades. I have more time than money. And with my disability challenges repairs proceed slowly.

Please reschedule my next inspection for 20 October 2025. I should have these repairs completed by then.

I'm wondering if email communication wouldn't be more efficient for you and the landlords you communicate with. It would provide for timelier communication as well as an automatically stored record.

Sincerely,

Cliff Elwood

306 Bromley St

605-323-9540

# MARSHALLTOWN

I O W A

Housing & Community Development's  
Housing Inspection Office

36 N. Center Street  
Marshalltown IA 50158-5001  
Housing Inspection – Tel – (641) 754-6582  
Fax – (641) 754-5742  
Becky Deemer, Ext. 3105 or (641) 750-3081  
bdeemer@marshalltown-ia.gov

September 19, 2025

Clifford Elwood – Bromley Office  
306 Bromley St  
Marshalltown, IA 50158

Date of Inspection: August 18, 2025 – No Show  
Rental Address: 306 Bromley St x10  
PIN: 8418-26-476-016  
Account: 124477

Units 1, 3, 4 7, 9 and 12 – are all vacant and under repair. These units will need to be inspected and passed on the next inspection.

## Unit 2

1. Bathroom plans to cover windows and install exhaust fan, - **NOT CORRECTED**
2. **New - Fire extinguisher is empty**

## Unit 8 – Pass

## Unit 10 – Pass

## Unit 11

1. **New - Bathroom light switch cover is missing.**
2. **New - Open breaker in electrical panel.**

## Common

1. All units need to have an accessible fire extinguisher. - **NOT CORRECTED**
2. Both common interior stairways need working emergency lights on upper floor, - **NOT CORRECTED**
3. Smoke alarm on upper floor ceiling (UL 217 listing required) - **NOT CORRECTED**
4. Emergency light/exit sign above exit door. - **NOT CORRECTED**

## Exterior

1. Rear exterior stairways (2), including decks, guards and handrails are not structurally sound and not properly anchored. Need to be rebuilt according to engineering and building code with **permit from the city.** - **NOT CORRECTED** as stated in the letter dated June 9, 2025 **you need to have the staircase completed and inspected by Jake with V & K.**

**THIS IS NOT A FINAL LIST AND MAY BE ADDED TO DURING NEXT INSPECTION.**

Per your request to reschedule the next inspection for October 20, 2025 saying you should have these repairs completed, a follow up inspection is now scheduled for October 27, 2025 at 11:00 AM. There were no times available on October 20<sup>th</sup>. My email is at the top of this letter if you chose to email instead of mailing or dropping off.

Scheduling changes should be handled through the City at least 2 business days (48 business hours) in advance. Contact Becky with the city rental inspection office at (641) 754-6582.

Marshalltown Rental  
ATTN: Becky  
36 Center Street  
Marshalltown, IA 50158

22 October 2025

IN RE: 306 Bromley Street Apartments

Becky,

To follow up on our conversation from Monday, I got access to the apartment and it requires repairs prior to inspection. I had nothing to do with the electrical service interruption. I did turn the water off because the tenant overflowed something in the bathroom and water was leaking down to the unit below. I attempted to make entry but the tenant barracked the door. I shut off the water and posted that I would make inspection and repairs 48 hours later. Again the door was barracked. I called law enforcement who tried to make entry but they were reluctant to break in the door, especially considering eviction was imminent. The tenant broke one window, major dings and scrapes to the walls and now I need to repaint, he beat up a new stainless refrigerator, and I as I stated in our conversation overflowed the sink or tub so I had to pull the composite tile to dry out the floor and I have to replace the bathroom door. The water overflow also affected the unit below and I pulled that tile as well.

These people refused to comply with the rental agreement to not use the fire escape, so this prevented me from making the repairs to those stairs, I permitted for last month. I tried to get law enforcement to trespass him from the fire escape area but again they were reluctant to do it. These tenants were responsible for damage to the entry stairs as well. I obtained a permit last month for these repair as well.

The tenant in apartment 2 has abandoned his belongings and I have now cleaned out the apartment but have a few repairs now. The largest being the floor tile replacement.

The tenant in apartment 4/5 is now out so I can finish repairs in there.

I have all the tenants out of the north building now. I will take advantage of this and replace the entry flooring and carpet the stairs and hallway.

I have spoken with Jake about what requires a permit and much of this is repair work. However, I did put in a detailed permit application for his review, and I will let him direct as he sees appropriate.

I will suspend renting attempts for these apartments until the apartment is cleared by Ron or you. It makes no sense to have Ron inspect at this time. Can you set up an inspection for the Monday before Thanksgiving?

Cliff Elwood

# MARSHALLTOWN

I O W A

Housing & Community Development's  
Housing Inspection Office

36 N. Center Street  
Marshalltown IA 50158-5001  
Housing Inspection – Tel – (641) 754-6582  
Fax – (641) 754-5742  
Becky Deemer, Ext. 3105 or (641) 750-3081  
bdeemer@marshalltown-ia.gov

October 24, 2025

Clifford Elwood – Bromley Office  
306 Bromley St  
Marshalltown, IA 50158

Date of Inspection: August 18, 2025 – No Show  
Rental Address: 306 Bromley St x10  
PIN: 8418-26-476-016  
Account: 124477

Units 1, 3, 4 7, 9 and 12 – are all vacant and under repair. These units will need to be inspected and passed on the next inspection.

## Unit 2

1. Bathroom plans to cover windows and install exhaust fan, - **NOT CORRECTED**
2. **New - Fire extinguisher is empty**

## Unit 8 – Pass

## Unit 10 – Pass

## Unit 11

1. **New - Bathroom light switch cover is missing.**
2. **New - Open breaker in electrical panel.**

## Common

1. All units need to have an accessible fire extinguisher. - **NOT CORRECTED**
2. Both common interior stairways need working emergency lights on upper floor, - **NOT CORRECTED**
3. Smoke alarm on upper floor ceiling (UL 217 listing required) - **NOT CORRECTED**
4. Emergency light/exit sign above exit door. - **NOT CORRECTED**

## Exterior

1. Rear exterior stairways (2), including decks, guards and handrails are not structurally sound and not properly anchored. Need to be rebuilt according to engineering and building code with **permit from the city.** - **NOT CORRECTED** as stated in the letter dated June 9, 2025 **you need to have the staircase completed and inspected by Jake with V & K.**

**THIS IS NOT A FINAL LIST AND MAY BE ADDED TO DURING NEXT INSPECTION.**

Per your request to reschedule the next inspection for October 27, 2025 a follow up inspection is now scheduled for December 1, 2025 at 9:00 AM. This will be the last extension as this started December 2, 2024. There were no times available on November 24th. My email is at the top of this letter if you chose to email instead of mailing or dropping off.

Scheduling changes should be handled through the City at least 2 business days (48 business hours) in advance. Contact Becky with the city rental inspection office at (641) 754-6582.

# MARSHALLTOWN

I O W A

## Housing & Community Development's Housing Inspection Office

36 N. Center Street  
Marshalltown IA 50158-5001  
Housing Inspections – Tel – (641) 754-6582  
Fax – (641) 754-5742  
Becky Deemer, Ext. 3105 or (641) 750-3081  
bdeemer@marshalltown-ia.gov

### Denial of the Certificate of Compliance is Issued by the City of Marshalltown Rental Inspection Office for 306 Bromley St in Marshalltown, IA Property Identification Number: 8418-26-476-016

December 19, 2025

Clifford Elwood – Bromley Office  
306 Bromley St  
Marshalltown, IA 50158

To Whom It May Concern:

Please be advised that this Denial of the Certificate of Compliance is issued for the rental property you own located at 306 Bromley St – Parcel Identification Number 8418-26-476-016 in the City of Marshalltown and due to non-compliance with the City of Marshalltown's applicable Codes and Ordinances such as, but not limited to:

Units 1, 3, 4, 7, and 12 – are all vacant and under repair. These units will need to be inspected and passed on the next inspection.

Unit 2

1. Bathroom plans to cover windows and install exhaust fan, - **NOT CORRECTED**
2. **New - Fire extinguisher is empty**

Unit 8 – Pass

Unit 9

1. CO detector missing,
2. Living room light switch by entry door missing cover,
3. Some kitchen cabinets are missing,
4. All rooms entry doors need frames and doors installed.
5. All rooms closet need frames and doors installed.

Unit 10 – Pass

Unit 11 – Pass

Common

1. All units need to have an accessible fire extinguisher. - **NOT CORRECTED**
2. Both common interior stairways need working emergency lights on upper floor, - **NOT CORRECTED**
3. Smoke alarm on upper floor ceiling (UL 217 listing required) - **NOT CORRECTED**
4. Emergency light/exit sign above exit door. - **NOT CORRECTED**

Exterior

1. Rear exterior stairways (2), including decks, guards and handrails are not structurally sound and not properly anchored. Need to be rebuilt according to engineering and building code with **permit from the city**. - **NOT CORRECTED as stated in the letter dated June 9, 2025 you need to have the staircase completed and inspected by Jake with V & K.**

Attached are copies of the City of Marshalltown's Housing Inspection letters and Housing Inspection Results Letters dated from August 21, 2024 through October 24, 2025.

The denial of the certificate of compliance will be effective thirty (30) days from the date of this letter. The owner(s)/titleholder(s) are to ensure all apartments and areas of 306 Bromley St are legally vacated no later than, **January 19, 2026.**

1. **Our office along with Safe Building will be at 306 Bromley St on January 26, 2026 at 1:00 PM to verify the building has been vacated or a complete inspection can be performed on the entire property.**
  - a. The owners/titleholders must assign someone to meet with the housing inspector and ensure they can access the building to verify all areas are vacated.
  - b. 306 Bromley St will then need to remain vacated until the property is brought into compliance by have a passing inspection resulting in a valid Certificate of Compliance within 6 months to remain a rental in good standing.

**Failure to comply will result in the City of Marshalltown starting legal action against the owner(s)/titleholder(s).**

The recorded owner(s)/titleholder(s) as well as the tenants/occupants of the above noted property will be notified of the pending action. Tenants, please discuss this Denial of the Certificate of Compliance with the owner(s)/titleholder(s).

Any aggrieved person may, within 30 (30) days of the date of adverse written decision of a housing inspector, file a written application for hearing before the housing appeal board. Such application should be made upon forms to be supplied by the city clerk and such shall be accompanied by a receipt from the City Clerk for the non-returnable filing fee in the amount set therefore by resolution of the City Council and shall include a copy of the decision appealed, the specific details being appealed, and such other documentary evidence as the appellant desires to bring to the attention of the board. If there are any further questions concerning this matter, please feel free to contact this office at (641) 754-6582.

Please note, on occasion, other City of Marshalltown Officials might be accompanying the inspectors for the scheduled inspections.



City of Marshalltown Housing Inspector

Marshalltown Rental Inspection Office  
36 N. Center Street  
Marshalltown, IA 50158

ATTN: Becky Deemer

7 January 2026

IN RE: 306 Bromley Street

As a senior project manager, prior to my retirement, I've developed excellent communication with officials in countless cities in the Midwest and Northeast US. I had a very good relationship with Scott Riemenschneider, on a number of projects, following the Marshalltown tornado. However, I've oft times felt a tension with my interaction with your office. This was reenforced during our telephone conversation in October, 2025, when I was trying to explain the poor aesthetic and maintenance condition created by the previous owner and you cut me off and stated "... I don't care what the other owner did...". This had a chilling effect on my communication with your office. I've attempted to avoid conflict and meet the demands of your schedule. However, as I stated in my letter dtd 13 August, 2025, I am a disabled veteran. I made a request for a reasonable accommodation to allow for my disability. I received no response as to an accommodation or even an acknowledgement of my request.

Title II of the Americans with Disability Act (ADA) requires a municipality to make reasonable modifications to their policies, practices and procedures to ensure individuals with disabilities have equal opportunity to benefit from all government services, programs and activities. The city is required to make changes in its standard way of doing things if necessary to accommodate a disability. The exception to this requirement is that in doing so it would create undue financial or administrative difficulty, or that it would essentially change the nature of the government service or program.

Your office has failed to articulate any lawful reason to deny my requested accommodation or modification to the inspection process. For my part, I have had difficulty completing my inspection requirements. I have a 90% service connected disability, coupled with my age of just shy of 68 years, which often, unexpectantly, interferes with my progress. To alleviate some of the city's concerns I informed you that I have removed all tenants from the building that houses units 1-7. I am making maintenance repairs that affect the common areas. I have had the building inspector walk thru and discuss my plans on 2 occasions. We discussed what requires a permit and when the work is deemed maintenance. I have pulled a few permits and, in fact, included items that are likely maintenance rather than change. My practices are supportive of the city's efforts to review activities relating to building repairs or maintenance.

Units 8-11 are in a building that is sandwiched between two other buildings. The structure, utilities and security are independent of the other units. You have already passed inspection on units 8,10 and 11. Unit 9 has minor items identified. The CO detector is not required as the building utilities are electric only. I am making a modification to the base cabinets to accommodate a tenant with sever mobility issues. I replaced bedroom doors as the previous door were scared and aesthetically unattractive. No safety issues were identified.

There are tenants in units 8 and 9 that are over 70 years. All the tenants in this building have extreme financial challenges and relocating them would be extremely disruptive if not impossible. I believe given the totality of the situation for this building, being an independent structure, three of the 4 units with passed inspection and the fourth unit with minor non safety deficiencies that are easily remedied, the city is abusing its position to have the tenants vacate.

I maintain that what I perceive to be the city's hostile and dismissive communication and failure to address my request to accommodate my disability with modification of its procedures have been a significant factor in the present situation. I think litigating the city's position or my claims against the city would be counterproductive as it is likely we share a desire for a common result.

I propose the following schedule to resolve the situation:

1. January 26 inspection to verify correction of the deficiencies identified on December 1 inspection of unit 9.
2. Inspection February 23 for corrections in unit 2 and unit 3.
3. Inspection March 23 for unit 1 and unit 4/5, (now combined)
4. Inspection April 27 for unit 6/7 (now combined)
5. Inspection June 1 for unit 12.

Occupancy allowed so long as the common area has no safety deficiencies, and the unit passes inspection.

I believe this modification will preserve the city's right to oversite while providing a reasonable accommodation for my disabilities. I am open to a meeting if you think it is necessary. Please contact me at 605-323-9540.

Regards,

  
Cliff Elwood

CITY OF MARSHALLTOWN APPEAL REQUEST FORM

This form may be completed when appealing various City Codes that provide for an appeal opportunity. Please complete all lines and add additional information if applicable. Submit to the designated City representative identified in the notice you received.

Name: CLIFFORD ELWOOD

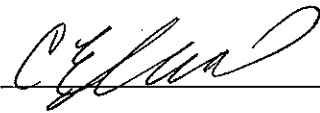
Address: 3916 Potsdam Ave N #4265 Sioux Falls SD 57104

Phone Number: 605 323-9540

E-Mail Address (if available): MontanaRancher43@gmail.com

Description requesting appeal: Rental Property Address: 306 Brownley St Marshalltown, IA 50158

Please Review my letter dtd: 7 January 2026  
This most accurately identifies the present situation and my position and requests for reasonable modification of present policy + procedures. I have offered a reasonable solution to move forward.

Signature: 

Date: 16 Jan 26

Note: I am not an Iowa resident and travel to Marshalltown to manage this. I have an ongoing medical issue I'm working through. If possible, could you schedule the review meeting between 9 Feb - 21 Feb 26 or if necessary after 25 Feb 26. Thank you for your consideration.

Marshalltown Rental Inspection Office  
36 N. Center Street  
Marshalltown, IA 50158

ATTN: Becky Deemer

7 January 2026

IN RE: 306 Bromley Street

As a senior project manager, prior to my retirement, I've developed excellent communication with officials in countless cities in the Midwest and Northeast US. I had a very good relationship with Scott Riemenschneider, on a number of projects, following the Marshalltown tornado. However, I've oft times felt a tension with my interaction with your office. This was reenforced during our telephone conversation in October, 2025, when I was trying to explain the poor aesthetic and maintenance condition created by the previous owner and you cut me off and stated "... I don't care what the other owner did...". This had a chilling effect on my communication with your office. I've attempted to avoid conflict and meet the demands of your schedule. However, as I stated in my letter dtd 13 August, 2025, I am a disabled veteran. I made a request for a reasonable accommodation to allow for my disability. I received no response as to an accommodation or even an acknowledgement of my request.

Title II of the Americans with Disability Act (ADA) requires a municipality to make reasonable modifications to their policies, practices and procedures to ensure individuals with disabilities have equal opportunity to benefit from all government services, programs and activities. The city is required to make changes in its standard way of doing things if necessary to accommodate a disability. The exception to this requirement is that in doing so it would create undue financial or administrative difficulty, or that it would essentially change the nature of the government service or program.

Your office has failed to articulate any lawful reason to deny my requested accommodation or modification to the inspection process. For my part, I have had difficulty completing my inspection requirements. I have a 90% service connected disability, coupled with my age of just shy of 68 years, which often, unexpectantly, interferes with my progress. To alleviate some of the city's concerns I informed you that I have removed all tenants from the building that houses units 1-7. I am making maintenance repairs that affect the common areas. I have had the building inspector walk thru and discuss my plans on 2 occasions. We discussed what requires a permit and when the work is deemed maintenance. I have pulled a few permits and, in fact, included items that are likely maintenance rather than change. My practices are supportive of the city's efforts to review activities relating to building repairs or maintenance.

Units 8-11 are in a building that is sandwiched between two other buildings. The structure, utilities and security are independent of the other units. You have already passed inspection on units 8,10 and 11. Unit 9 has minor items identified. The CO detector is not required as the building utilities are electric only. I am making a modification to the base cabinets to accommodate a tenant with sever mobility issues. I replaced bedroom doors as the previous door were scared and aesthetically unattractive. No safety issues were identified.

There are tenants in units 8 and 9 that are over 70 years. All the tenants In this building have extreme financial challenges and relocating them would be extremely disruptive if not impossible. I believe given the totality of the situation for this building, being an independent structure, three of the 4 units with passed inspection and the fourth unit with minor non safety deficiencies that are easily remedied, the city is abusing its position to have the tenants vacate.

I maintain that what I perceive to be the city's hostile and dismissive communication and failure to address my request to accommodate my disability with modification of its procedures have been a significant factor in the present situation. I think litigating the city's position or my claims against the city would be counterproductive as it is likely we share a desire for a common result.

I propose the following schedule to resolve the situation:

1. January 26 inspection to verify correction of the deficiencies identified on December 1 inspection of unit 9.
2. Inspection February 23 for corrections in unit 2 and unit 3.
3. Inspection March 23 for unit 1 and unit 4/5, (now combined)
4. Inspection April 27 for unit 6/7 (now combined)
5. Inspection June 1 for unit 12.

Occupancy allowed so long as the common area has no safety deficiencies, and the unit passes inspection.

I believe this modification will preserve the city's right to oversight while providing a reasonable accommodation for my disabilities. I am open to a meeting if you think it is necessary. Please contact me at 605-323-9540.

Regards,

Cliff Elwood

Marshalltown Rental

ATTN: Becky

36 Center Street

Marshalltown, IA 50158

22 October 2025

IN RE: 306 Bromley Street Apartments

Becky,

To follow up on our conversation from Monday, I got access to the apartment and it requires repairs prior to inspection. I had nothing to do with the electrical service interruption. I did turn the water off because the tenant overflowed something in the bathroom and water was leaking down to the unit below. I attempted to make entry but the tenant barracked the door. I shut off the water and posted that I would make inspection and repairs 48 hours later. Again the door was barracked. I called law enforcement who tried to make entry but they were reluctant to break in the door, especially considering eviction was imminent. The tenant broke one window, major dings and scrapes to the walls and now I need to repaint, he beat up a new stainless refrigerator, and I as I stated in our conversation overflowed the sink or tub so I had to pull the composite tile to dry out the floor and I have to replace the bathroom door. The water overflow also affected the unit below and I pulled that tile as well.

These people refused to comply with the rental agreement to not use the fire escape, so this prevented me from making the repairs to those stairs, I permitted for last month. I tried to get law enforcement to trespass him from the fire escape area but again they were reluctant to do it. These tenants were responsible for damage to the entry stairs as well. I obtained a permit last month for these repair as well.

The tenant in apartment 2 has abandoned his belongings and I have now cleaned out the apartment but have a few repairs now. The largest being the floor tile replacement.

The tenant in apartment 4/5 is now out so I can finish repairs in there.

I have all the tenants out of the north building now. I will take advantage of this and replace the entry flooring and carpet the stairs and hallway.

I have spoken with Jake about what requires a permit and much of this is repair work. However, I did put in a detailed permit application for his review, and I will let him direct as he sees appropriate.

I will suspend renting attempts for these apartments until the apartment is cleared by Ron or you. It makes no sense to have Ron inspect at this time. Can you set up an inspection for the Monday before Thanksgiving?

Cliff Elwood

Marshalltown Housing Inspection

36 Center street

Marshalltown, IA 50158

18 Sept 2025

Becky,

I meant to get this response to you immediately after I met with Jake on the 9<sup>th</sup> but had some health issues that side-tracked me and pulled me out of town. I try to hand deliver my responses to you when possible. Interestingly, you stated that you didn't get my last letter until the 18<sup>th</sup> of August. I wrote it on the 13<sup>th</sup> and then gave it to someone to deliver to you the next day as I had appointments at the VA. She text me about 9:40 the next morning and told me she dropped it off with the girl at the window, the woman opened it to see where to direct it and stated that she would give it to Becky. I also had her pick up a building permit at that time. The fact that she had those details has me thinking she did in fact drop it off. I'm not sure what happened from then on. Also, your letter is dated 27 August 2025 but postmarked 2 Sept. and arrived on the 4<sup>th</sup>.

I had a break-in in mid-August and the thieves stole virtually all of my tools while I was out of town. Local law enforcement knows who the main suspect is and has seen him with some of the stolen items but as of yet has not made an arrest or recovered anything. This has caused a delay in my progress.

On 1 September I had a landing collapse that required immediate repairs to tear off the entire entry landing and steps. I had Jake over on 9 September and discussed the repair and got proper permits for this and the other external stairs that need repair. As this is a priority it has impeded my progress on interior work. I have the necessary permits for the exterior landings and steps and will have them inspected as required.

Jake inspected the 2 apartments that are being combined to make a 3 bedroom unit. Jake termed it as turning 2 nonfunctional units into 1 functional unit. This building was at one time a single unit that housed the nursing students from the hospital. The only modification that was necessary was moving the entry door and the permit to add a partition wall, which was already in place when Jake inspected. The remaining work was simply drywall over

existing degrading plaster and painting and floor covering replacement. Jake considered drywall over degraded plaster as maintenance. I have not completed this.

I realize my slow pace seems counter intuitive for a landlord to leave units vacant. But I would rather make the required maintenance repairs without tenants inside. It is difficult to work around people. These units have been allowed to degrade to a level that is unacceptable to me even if they are acceptable by city standards. I want to give people a reasonably attractive affordable place to live. I have taken many homeless with the help of Bridge Home or salvation army or other charity organizations. And I have absorbed many tens of thousands in losses from this approach. Thus I don't use a lot of subs except for the trades. I have more time than money. And with my disability challenges repairs proceed slowly.

Please reschedule my next inspection for 20 October 2025. I should have these repairs completed by then.

I'm wondering if email communication wouldn't be more efficient for you and the landlords you communicate with. It would provide for timelier communication as well as an automatically stored record.

Sincerely,

Cliff Elwood

306 Bromley St

605-323-9540

Marshalltown Housing Inspection

36 N Center St

Marshalltown, IA 50158

13 August 2025

Your latest inspection report is inconsistent with a previous letter that had my completion deadline as October 2025. Also, I'm confused about the timeline of a permit issued in February 2025. I had not applied for work in apartments except for a small partition wall in apartment 4. I have had Jake review the things I am working on and he deemed most of it repair issue, like placing drywall over decaying plater to stabilize. Or replacing carpet or flooring. I am a disabled veteran, and my process is slower than would probably be necessary. I have had a hospitalization and a significant amount of outpatient care at the VA hospital in Minneapolis. My disability does impact the pace I work. I ask for reasonable accommodation as I work through these limitations. The units were generally less than good condition and I pride myself on making a nice living environment for tenants that are generally lower income or just recovering from homelessness.

Please extend my next scheduled inspection to the 3<sup>rd</sup> week of September. At that time I should have 1,2,3,4, 7 and 9 complete and ready for inspection. I have filled out permit for repair of fire escape stairs and will work with Jake on this.

Thank you,

Cliff Elwood