



Madison Police Department

Victor Wahl, Acting Chief of Police
City-County Building
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March 13, 2020

NOTICE OF PUBLIC NUISANCE

CDA - Lauren Anderson



Madison, WI 53715

RE: Drug House located at: 755 Braxton Pl #A804
Madison Police Department Case Number: 2020-59903

According to records of the City of Madison, you are the owner and/or operator of the property identified above. This letter is to notify you that the building or structure located on your property is being used to facilitate the delivery, distribution or manufacture of a controlled substance, or is a building or structure where those acts take place, and therefore is a public nuisance pursuant to Wisconsin Statute §823.113.

Please contact Acting Captain Lori Beth Chalecki at (608) 229-8202 upon receipt of this letter. Do not disregard this notice. As the owner and or operator of this property, you must take **IMMEDIATE** action to abate the nuisance activity at this property. If you fail to respond to this notice and/or fail to take action to abate subsequent nuisance activity, Wisconsin law permits the City of Madison to seek a court order declaring the property a public nuisance and ordering the property closed and sold with proceeds retained by the alcohol and drug abuse assistance programs and community development organizations.

According to the above police case number:

On 03/09/2020, Madison Police Department SWAT team assisted Dane County Narcotics and Gangs Task Force (DCNTF) by executing a search warrant at the above address. The search warrant is a result of an on-going drug investigation related to the listed property. As a result of the investigation and search warrant the following arrests were made:

Name: James D Parnell

Charges: Delivery of Cocaine 0-1 grams (3 counts)

Possession with intent to deliver cocaine 5-15 grams (1 count)

Maintaining a drug dwelling (1 count)

Name: Porcha L Bell

Charges: Parole Hold (1 count)

Obstructing (1 count)

During the search warrant of 755 Braxton Pl #A804, DCNTF located cocaine base, THC, hydrocodone pills, and items indicative of drug distribution; money, drug packaging, and digital scales.

Please review the following nuisance abatement measures that you may employ to prevent the continuance or reoccurrence of drug dealing and other nuisance activity at your property. These suggestions are not exclusive and you may use other nuisance abatement measures that are appropriate to the particular circumstances of your property.

- *Participate in a local block watch or neighborhood association.*
- *Exchange names and telephone numbers with the owners of buildings on each side of your property.*
- *Attend any crime prevention meetings conducted in your neighborhood.*
- *Monitor the property for evidence of drug activity. This may include observation of clear corner cut baggies strewn about, excessive quantities of plastic sandwich baggies found in odd places, presence of weight scales or communication devices, short term traffic to the property and drug paraphernalia such as unusual pipes, blunt wrap packaging, burned hollow tubes, etc.*
- *Install "No Trespassing" signs at all entry points to your property.*

If the above-referenced property is a residential rental property and the nuisance activity has occurred in a tenant's rental unit, is associated with a rental unit associated with your property, or was caused by that tenant on your property, you may use this notice to provide a five day notice to your tenant to vacate the property pursuant to Wisconsin Statute § 704.17(1)(c), (2)(c) and (3)(b). In addition to the potential eviction of tenants, other nuisance abatement methods for landlords to consider include:

- *Participating in a landlord training program and making a good faith effort to apply the knowledge from such training and attend refresher classes.*
- *Participating in the local block watch, neighborhood association, landlord compact and property management association.*
- *Instituting the use of written screening criteria that are provided to each applicant at the time each proposed adult resident receives the written application.*
- *Conducting background checks on all prospective adult tenants and residents.*
- *Instituting the use of a written lease for each adult tenant that include provisions relating to disorderly behavior, noise, garbage disposal, use of common areas, illegal activity, tenant responsibility for guest conduct, and the prohibition of subleasing and long-term guests. Timely enforce any lease violations.*
- *Reviewing the tenancy of any other current residents of the property. This may include the termination of tenancies and reapplication by existing tenants for new tenancy.*
- *Regularly inspecting the interior of the residential rental property to confirm that the residents are your tenants, confirm that the premises are actually used as a residence and determine if the doors or windows have been fortified or the premises outfitted with surveillance or delivery mechanisms.*
- *Installing a sign with your name and contact information in a common area so that law enforcement responding to a call for service at the property can easily contact you if necessary.*
- *Regularly filing open records requests for Madison Police Department calls for service reports regarding your property.*
- *Instituting a standing complaint with the local Madison Police District that would allow the Police Department to remove any individuals trespassing on the property.*

The City of Madison supports nondiscrimination in the provision of housing in Madison. Any actions you take in response to this letter must comply with applicable federal, state, and local Fair Housing laws. If you have questions about such compliance, you should consult your own attorney, and you also may wish to review these documents:

- <http://www.cityofmadison.com/dcr/documents/FairHsgBro-Eng.pdf>
- https://portal.hud.gov/hudportal/documents/huddoc?id=HUD_OGCGuidAppFHASandCR.pdf

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Sincerely,

Victor Wahl, Acting Chief of Police

Lori Beth Chalecki, Acting Captain

cc: Alder Tag Evers
Assistant Chief of Police Valenta
Assistant City Attorney Jennifer Zilavy