



HOUSING BOARD OF REVIEW

City of Burlington

149 Church Street Room 11
Burlington, Vermont 05401
(802) 865-7122

HOUSING BOARD OF REVIEW CITY OF BURLINGTON

NOTICE OF DECISION

Enclosed is a copy of the "Findings of Fact, Conclusions of Law and Order" of the Burlington Housing Board of Review.

Please note that a person aggrieved by a decision of the Housing Board of Review is entitled to appeal to the Chittenden Superior Court. (See Housing Code Section 18-59 and Vermont Statutes Annotated, Title 24, Section 5006.) The court rules may require that such an appeal be commenced within thirty (30) days of the Board's Order.

Unless an appeal is taken, the Board's Order should be complied with before expiration of the thirty (30) day period.

DATED 10/19/22

CITY OF BURLINGTON
HOUSING BOARD OF REVIEW

/s/ Betsy McGavisk
Betsy McGavisk
Board Chair

cc: John Hegarty
Nadine Scibek, Esq.

**CITY OF BURLINGTON, VERMONT
HOUSING BOARD OF REVIEW**

**In re: Request for Hearing of JOHN HEGARTY)
Regarding Withholding of Security) Security Deposit Appeal
Deposit by RUBY THIBAUT for)
Rental Unit at 38 Monroe Street)**

ORDER

The above-named hearing came before the Housing Board of Review on October 3, 2022; the hearing was held remotely via Zoom. Board Chair Betsy McGavisk presided. Board Members Evan Litwin, Charlie Gliserman, Olivia Taylor and Josh Wronski were also present. Although notified of the hearing, petitioner John Hegarty was not present. Respondent Ruby Thibault and her attorney, Nadine Scibek, were present.

This hearing was rescheduled from a hearing held on September 19, 2022 which petitioner did not attend; respondent and her attorney were present at that hearing. Although petitioner should have known about the September 19 hearing (Nadine Scibek having provided him with evidence she submitted to the Board for that hearing), the Board learned that the notice sent to petitioner was not delivered to him because he had a new mailing address. In an email dated September 20, 2022 to Lisa Jones, Clerk for the Board, petitioner stated he had not received notice of the September 19 hearing and requested that the hearing be rescheduled; petitioner also provided a new mailing address to the Board. Nadine Scibek objected to rescheduling the hearing. Lisa Jones confirmed that the Notice of Hearing mailed to petitioner was returned by the post office as the address was no longer valid. As petitioner did not receive notice of the September 19 hearing, the Board rescheduled the hearing.

Lisa Jones replied to petitioner's September 20 email and informed him that a new hearing was scheduled for October 3, 2022 at 7pm. Also on September 20, 2022,

Lisa Jones emailed the Notice of Hearing and Agenda for October 3, 2022 at 7pm to both parties.

Petitioner has not contacted the Board since September 20, 2022.

As petitioner requested the hearing and did not appear for either hearing, the case is dismissed.

DATED at Burlington, Vermont this 19th day of October, 2022.

CITY OF BURLINGTON
HOUSING BOARD OF REVIEW

/s/ Betsy McGavisk
Betsy McGavisk
Board Chair
On behalf of all Board members