



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

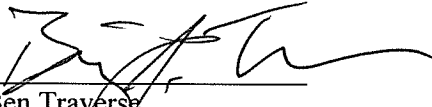
Enclosed is a copy of the "Findings of Fact, Conclusions of Law and Order" of the Burlington Housing Board of Review.

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 9/9/17

CITY OF BURLINGTON
HOUSING BOARD OF REVIEW



Ben Traverse
Board Chair

cc: Jessica Pashko
Nathaniel Hayward

**STATE OF VERMONT
CHITTENDEN COUNTY, SS.**

**In re: Request for Hearing of Olivia Pena,)
 Jessica Pashko, Paige Phillips and)
 Olivia Oldach Regarding Withholding of) CITY OF BURLINGTON
 Security Deposit by Nathaniel Hayward) HOUSING BOARD OF REVIEW
 for Rental Unit at 165 Loomis Street)**

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

The above-named hearing came before the Housing Board of Review on August 21, 2017. Board Members Josh O'Hara and Patrick Kearney were appointed Hearing Officers to hear and decide the above-referenced matter pursuant to city ordinance requirements. Appearing for Nathaniel Hayward were Pam Brady and James Faas. Petitioners were not present.

As petitioners filed the request for a hearing, were notified of the hearing, were given notice that their failure to appear would result in dismissal of their case and they did not appear at the hearing, the case will be dismissed. The Hearing Officers note, however, that it appears respondent did not provide proper notice to petitioners (ie, he did not provide notice of the tenants' opportunity to request a hearing before this Board to dispute the withholding of the deposit) and had petitioners appeared at the hearing, a decision would have been rendered against respondent.

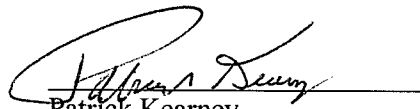
Accordingly, the case is dismissed.

Dated at Burlington, Vermont this 9th of September, 2017.

CITY OF BURLINGTON
HOUSING BOARD OF REVIEW



Josh O'Hara
Hearing Officer



Patrick Kearney
Hearing Officer