

Neglect turned building into deadly menace - Cop's slaying adds pressure on Archer

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DETROIT -- The transformation of a shabby, 12-unit west side apartment **building into** a neighborhood **menace** started with the death of a longtime landlord in 1997 and ended with Officer Neil Wells lying dead in a pool of his own blood.

An investigation by The Detroit News has found that the combination of a new absentee landlord, confusion among various city departments and a lack of code enforcement all contributed to turning the **building** at 15215 Cherrylawn **into** a squatter's haven for drug users and dealers. Tragedy was only a matter of time.

And it came April 4. The dilapidated exterior of this apartment **building** was the last thing Wells would ever see. He was shot to death with an AK-47 and died where he fell -- in an alley next to the trash-strewn **building**. Police had been called there once again to search for drugs and illegal activity.

The property's troubled history offers a cautionary tale of what can and regularly does go wrong when **buildings** degenerate in Detroit. The city has tens of thousands of dangerous and vacant **buildings**, many of them occupied illegally by squatters. They are a legacy of Detroit's long decline and contracting population.

Pressure has been growing on Mayor Dennis Archer to do more about the vast tracts of vacant land and all the dangerous empty **buildings** in the city. The Detroit News recently reported that after years of effort, the city's Planning and Development Department still doesn't know exactly how much abandoned property it has acquired through tax foreclosures. By the city's own estimates, many of the **buildings** it owns are occupied by squatters.

An earlier Detroit News investigation last fall found that thousands of vacant **buildings**, many open to trespass, are within one city block of a public school.

Another investigation found that a city-run property auction in 1996 was so mishandled that many of the **buildings** sold could not be **turned** over to buyers because the city would not or could not evict squatters.

When the two-and-a-half-story apartment **building** on Cherrylawn was built back in 1928, the working-class neighborhood that stretches southeast from the corner of Wyoming and Fenkell was thriving with the rest of the booming Motor City.

Now, the area is Detroit at its most ravaged and desperate. A few homes and churches are kept up, but most of the **buildings** still standing are in deplorable condition. Some are occupied. The corners are piled with trash, and empty lots are littered with abandoned cars.

Land bought in '69

In 1969, Joseph C. Kenion, who managed real estate for a living, bought the **building** on a land contract. By 1981, he owned it outright. According to his daughter, Gwendolyn Kenion, he kept the property up and rented its 12 apartments to poor people. When he died of cancer in 1997, Gwendolyn Kenion inherited it.

"Before my father died, he told me that I might not be able to handle Cherrylawn, that it was rough, in a rough neighborhood," Kenion told The News. "He was right about that."

Kenion, now 47, said she started having trouble with one particular tenant, whom she would not name. The tenant refused to let Kenion **into** the apartment, and the matter ended up in court. Eventually the renting woman's father, a drug user, moved **into** her apartment and began to cause more problems, Kenion said.

"I kept calling the police, and they kept coming over," she said. "(The man) was smashing out windows and doing all other kinds of damage. Girls were coming by. He broke the toilet fixtures. He put holes in the wall. He did a lot of damage. I went over there and did what I could, but at night, all kinds of things went on."

She put bars on the windows, but neighborhood children broke in, climbed to the roof and threw stones at passing cars, she said.

"I called the police, and they told me that if one of those kids got hurt, I would be liable," Kenion said.

Owner evicts 6

Kenion eventually evicted six tenants, leaving three still living there. But the problems continued.

"I got to the point where I just couldn't take it anymore," she said. "I would try to fix it up, but as soon as I did, they would tear it up again."

Finally, last June, Kenion sold the **building** to Terrance Campbell, whom Kenion said operates a property management company called Wise Choice Management. According to the warranty deed, he paid \$20,000 for the **building**, which has an assessed value of \$47,800 and is listed on city records as being owned by Campbell.

Campbell lists his address as a post office box. He is not listed as holding a Michigan driver's license, and his company is not registered in the state.

Detroit News reporters left messages for Campbell to call and phone numbers with associates of Campbell, but he did not contact the newspaper. By law, a **building** owner is required to list no more than a post office box as his address.

According to Kenion, Campbell allowed the remaining tenants to stay in the **building** rent-free while he took steps to make repairs.

"He figured as long as people was up in there, people wouldn't come and strip the place," she said. "That's why he didn't do nothing about (the squatters)."

Eyesore unnoticed

Regardless of whether that in fact was the case, sketchy city records outline a situation in which the Cherrylawn **building** became a public nuisance and yet fell between the cracks of the city's various departments. And the **building** was clearly occupied, though city departments believed it wasn't.

Last August, shortly after the **building** was sold to Campbell, inspectors from the city's **Building** and Safety Engineering Department received a call that the **building** was "open to trespass" and needed to be barricaded by the owner, according to city records.

The **building** was reported barricaded that day. No other **building** safety records existed for the property until Wells was killed last week. Then the city ordered the **building** barricaded again.

Building classified vacant

Otherwise, it appears that the disaster on Cherrylawn was allowed to unfold with little involvement from other arms of city government.

Even though police were often called to the property, records from the city assessor's office and the city **Buildings** & Safety Department show that the city considered the **building** vacant. A preliminary search found no record could be found of police contacting **Buildings** & Safety or the Fire Department or the Health Department, according to Greg Bowens, Archer's spokesman.

No records show that neighbors or the landlord called to complain, either.

If complaints had been made, the city might have taken action on several fronts under existing city ordinances. If the Health Department had been called, inspectors could have shut down the **building** as unsanitary. If the Fire Department had been called, inspectors could have closed the **building** as unsafe. If **building** inspectors had been called repeatedly, they were supposed to have brought the **building** before the City Council for condemnation.

How did it fall through the cracks? In large part because all county and city property taxes were promptly paid by Campbell, and there is visual evidence that he has been doing at least some repairs on the **building** in the 10 months he has owned it.

Under the current **building** -inspection system, all rental **buildings** must have a certificate of occupancy showing that the property meets health and safety codes. As of Wednesday, the city could not provide such a certificate.

Geni Giannotti, director of **Buildings** & Safety, did not return calls from The News. However, in the past she has said that such certificates are rarely issued for most rentals, despite the legal requirement. Since the **building** was considered uninhabited after Campbell bought it, the only legal requirement was that its roof be kept in good shape and that it remain barricaded. Like thousands of officially vacant **buildings** in the city, it seems to have never remained barricaded for long, according to neighborhood residents.

Some neighbors, who declined to speak on the record, said they knew the **building** was occupied and thought the occupants were paying rent.

Police at the 12th Precinct have said they also knew the **building** was occupied and that officers had made numerous runs to the address in the past year. Bill Peterson, a lieutenant at the precinct, said he assumed the property was a squatter's haven and that the property owner probably owed back taxes.

Wednesday, when Detroit News staff members visited the area, the **building** was open again to trespass. The **building** still had electricity and running water. Inside, about half of the dozen apartments showed clear signs that people had been living there for some time. Mail from utilities, cable companies and credit unions dated as recently as February lay strewn in the first-floor hall. The city had no records that utility companies ever contacted the **Buildings** & Safety Department about the property.

The only sign Wednesday that a police officer had been killed there were mangled bits of yellow police tape gathered in the alley, and doors -- inside and outside -- were splintered from police officers' forced entry and search. Windows were boarded up.

The future of the **building** has not been determined, but if declared a public nuisance by a court, it could face a wrecking ball.

15215 Cherrylawn

Location: On the west side, near the corner of Wyoming and Fenkell

Owner of Record: Terrance Campbell, who purchased the property in June 2000 for \$20,000.

Apartments: 12

History: Built in 1928 as a rental property. Purchased on a land contract by Joseph Kenion in 1969 and owned outright by Kenion in 1981.

Kenion died in 1997 and the **building** became the property of his daughter, Gwendolyn Kenion. She later sold the property to Campbell.

On April 4, Officer Neil Wells, 41, was shot to death as police entered the **building** . Lamont T. Smith, 21, faces a preliminary hearing on April 18 on charges of murder and felony firearms violations in the shooting.

Caption: Detroit Police Officer Neil Wells was killed at 15215 Cherrylawn in Detroit one week ago today. Wells was shot to death with an AK-47 and died in an alley next to the trash-strewn **building** . Sketchy Detroit city records outline a situation in which the Cherrylawn **building** became a public nuisance and yet fell between the cracks of the city's various departments. Police had been called to the property on Cherrylawn to search for drugs and illegal activity.

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