

1 business and trade, but they're --

2 MR. RAMSEY: Right, but a handwritten
3 modification of a document overrides a
4 printed.

5 COMMISSIONER WOOTEN: Plus the fact
6 that it was written on June 2nd and the
7 privilege license was issued on June the
8 2nd, same year, same day.

9 COMMISSIONER DAILEY: I just -- I
10 think, though, that there's manipulation
11 going on to the benefit of a renter and
12 jeopardizing the property owner, a Gautier
13 property owner, and I don't think we
14 should be doing that. I think we should
15 be favoring a Gautier property owner. And
16 no one's presented anything that says that
17 this really -- other than the fact that a
18 tenant came to the City, no one has shown
19 me anything that says this land owner
20 intended that it be a business and lose
21 his residential position.

22 MR. RAMSEY: I would argue the other
23 way, but you don't have to convince me.
24 You have to convince the other
25 commissioners.

1 COMMISSIONER DAILEY: Okay. The
2 other thing about the vacancy, I think in
3 this economy --

4 MR. RAMSEY: Well, the vacancy, if
5 they did not re-rent it because we said
6 you can't, then the 60 days doesn't apply.
7 It hasn't started running, yet.

8 COMMISSIONER WOOTEN: When did the
9 vacancy occur?

10 MR. RAMSEY: He said about three
11 months ago.

12 MS. LOGAN: We have where the water
13 was cut off.

14 TONY LUONG: I don't even think it's
15 three months ago.

16 MS. LOGAN: There has not been a
17 break in the water service. The power was
18 cut off September 11th, but he's been
19 working -- I mean, 60 days would have been
20 like November, in the middle of November,
21 and he's been -- he's been trying to work
22 on it before that 60 days was up, yeah.

23 COMMISSIONER WOOTEN: This is his
24 document. And there's no question that it
25 was on June 2nd and June 2nd. This lease

1 was written to rent that building as a
2 commercial establishment. Okay. No doubt
3 in my mind. Because of that statement and
4 that date and that date that you gave us,
5 the privilege license was presented.

6 TONY LUONG: Okay. But the lease is
7 a residential lease.

8 COMMISSIONER DAILEY: It does say
9 that, but then --

10 COMMISSIONER WOOTEN: But my attorney
11 tells me that that overrides that
12 residential.

13 TONY LUONG: Yeah. It's a total
14 surprise to me right now.

15 COMMISSIONER SPANIER: So you weren't
16 there the day that all this was signed?

17 TONY LUONG: No (indicating). No
18 English.

19 COMMISSIONER SPANIER: No English?

20 MR. RAMSEY: No English, his mother
21 doesn't speak English.

22 TONY LUONG: She speaks broken
23 English and Vietnamese.

24 COMMISSIONER SPANIER: Oh, I got you.

25 COMMISSIONER JOHNSON: What will you

1 do with this property if you lose at this
2 juncture.

3 TONY LUONG: If the property actually
4 goes back, we might actually put -- you
5 know, we could tear that house down and
6 put an apartment up or something, but we
7 can't do anything with it beside rent it
8 as a house right now, because the economy
9 is so bad. We don't even have the money
10 to do that right now. Right now, all we
11 can do is rent it as a house.

12 COMMISSIONER JOHNSON: Right, but if
13 you couldn't do that?

14 TONY LUONG: I don't even know what
15 we could do, because we don't have the
16 money to do it. It's going to be sitting
17 there vacant, unless somebody wants --

18 COMMISSIONER JOHNSON: It says in
19 your application that the previous tenant
20 was evicted. Why were they evicted?

21 TONY LUONG: They don't pay rent.

22 COMMISSIONER JOHNSON: So you weren't
23 making any money anyway.

24 TONY LUONG: They weren't making any
25 money.

1 MR. RAMSEY: So don't rent to another
2 psychic.

3 TONY LUONG: We didn't know they were
4 psychic until they actually asked us if
5 they could do it.

6 COMMISSIONER SPANIER: They should
7 have saw in the future that they --

8 TONY LUONG: That was two years ago.

9 COMMISSIONER JOHNSON: So you know
10 they've been psychics for two years;
11 correct?

12 COMMISSIONER WOOTEN: Were they
13 paying taxes for commercial business?

14 TONY LUONG: They should have saw all
15 that coming.

16 MR. RAMSEY: Probably so.

17 COMMISSIONER SPANIER: I doubt it.
18 The services probably don't pay, services
19 like that, tanning services.

20 MR. RAMSEY: No. He's talking about
21 the ad valorem taxes. It's zoned
22 commercial and had a business license, so
23 they would have taxed it at a commercial
24 rate.

25 COMMISSIONER JOHNSON: And you think

1 the Jackson County Planning records would
2 show that that's a -- that that was a
3 commercial piece of property.

4 MR. RAMSEY: Probably so, yeah.

5 COMMISSIONER JOHNSON: Even though it
6 was grandfathered in as a non-conforming
7 use?

8 COMMISSIONER WOOTEN: I didn't see it
9 anywhere on the zoning information.

10 TONY LUONG: The rent started at
11 1200. It came down to 900. We were very
12 lenient on just trying to keep a resident
13 in the home. But push come to shove, when
14 you owe two months in rent and you keep
15 telling us stories, we'll have it next
16 week, we'll have it next week, it just --
17 I mean, like any land owner, you try to
18 sympathize that it's a business, but you
19 have to get your money back.

20 COMMISSIONER JOHNSON: I'm trying to
21 wrap my head around this, because you seem
22 to be a pretty intelligent person, that
23 you buy a piece of property that's zoned
24 commercial and, you know, as a business,
25 as a businessman, you should know -- you

1 should understand --

2 TONY LUONG: All this was purchased
3 with my parents, and they change it to the
4 LLC and I'm just helping them speak. I
5 didn't do that. This is Mom.

6 COMMISSIONER JOHNSON: Oh, so this
7 was your mother's, so you're just here --

8 TONY LUONG: And every time that, you
9 know, I don't understand them, when she
10 call me on the phone, and can you talk to
11 this tenant about this and this and this.
12 So all that right there, I was never
13 present for that. That's why it was a
14 total surprise when you just point that
15 out to me. And she doesn't speak English
16 well, and all this renting out is done by
17 her. So when you said I'm an intelligent
18 person and I would do this, I would have
19 never trust any of this.

20 COMMISSIONER JOHNSON: You were not
21 part of the transaction. It was her and
22 the tenant.

23 TONY LUONG: I'm the son and I speak
24 English and I represented my parents.

25 COMMISSIONER JOHNSON: Okay. So

1 that's why you're here tonight.

2 TONY LUONG: Yes.

3 COMMISSIONER WOOTEN: I understand
4 the son part for sure.

5 MR. MEYER: You know, Larry, we hated
6 when this guy down south on the west part
7 of town used his Mom's home as a meth lab,
8 and he didn't own the house, but she, I
9 guess, didn't pay enough attention and we
10 had to go condemn it before Christmas. I
11 mean, that's our job, is to go enforce
12 these things. Should the land owner have
13 known what was going on? Yes. That's my
14 perspective is the land owner has some
15 responsibility here, as well.

16 TONY LUONG: But if we lose our
17 residential stuff like this, shouldn't we
18 be informed and said, you know that if
19 they use this as commercial, you're going
20 to lose this as a residential, to rent it
21 out as a house from now on out; right? If
22 I had known that, or if that was sent in
23 the mail to us, or let us know of that, I
24 would never -- I would tell her, mom,
25 you're going to lose this as a house, you

1 sure you want to do this.

2 COMMISSIONER JOHNSON: I agree with
3 you. I think as a citizens, as citizens
4 who pay taxes and who elect, or our tax
5 money is used to hire city officials to do
6 our -- to do the City's business, to
7 represent the citizens who live in the
8 City, I agree with you. I think somebody
9 should have said, hey, you need to
10 understand the consequences of changing
11 one activity to another. You need to
12 understand that.

13 And more importantly, sir, you need
14 to sign this piece of paper right here
15 saying you understand it because when you
16 come back five years from now, I'm going
17 to show it to you. I'm going to say look,
18 you understood, here's your name
19 designating that you do understand, and
20 so, that's it.

21 So I agree with you. You should have
22 been -- it should have been put in writing
23 and we should have a document right in
24 front of us with her name on or somebody's
25 name on it.

1 TONY LUONG: I'm just dumbfounded
2 that an actual tenant can change what
3 the --

4 COMMISSIONER JOHNSON: I don't know
5 about all that. I don't know how that
6 happened.

7 TONY LUONG: Whatever date they
8 changed the status of our home that was
9 rented as a house, that's what I'm
10 dumbfounded about.

11 COMMISSIONER WOOTEN: The status was
12 already changed. Okay. It was changed.

13 TONY LUONG: Yeah, when they zoned
14 it, but we have always rented it as a
15 house.

16 MR. RAMSEY: Not a zoning change.
17 The status changed when that lease was
18 signed that said you could use this as a
19 commercial enterprise.

20 COMMISSIONER WOOTEN: Mr. Daily.

21 COMMISSIONER DAILEY: A question of
22 procedure. I mean, you've been doing this
23 for a while. In your view, is it normal
24 that where a tenant -- I know what the
25 lease says, or I understand what we're