

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENT,
GREAT LAKES, AND ENERGY

LOFT HOLDINGS, LLC

SRN File No: U632401405

Respondent.

HANNA & JARBO, PLLC
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RESPONSE TO VIOLATION NOTICE

NOW COMES Respondent, Loft Holdings, LLC (“Loft”), by and through its managing member and attorney at law, Dalen Patrick Hanna, and submits this formal response to the Michigan Department of Environment, Great Lakes, and Energy, c/o Mr. Jeremy Howe and/or Mrs. Tammy Bell:

We acknowledge receipt of your second Violation Notice dated July 3, 2024. Upon review, it appears that the issues raised therein largely mirror those previously addressed in your initial Violation Notice dated March 21, 2024, to which we promptly responded with a detailed explanation on or about April 11, 2024 via email.

It is imperative to clarify that the assertions made in your recent notice, particularly regarding the removal of debris/material post Mrs. Tammy Bell’s February visit, are unfounded. We emphasize that any actions taken at the site subsequent to Mrs. Bell’s inspection have been in strict adherence to the guidelines set forth by your agency and conducted under the supervision of our licensed abatement contractor, Sloan Environmental. The temporary cessation of all work during the intervening months was solely to facilitate the completion of necessary abatement procedures, as previously communicated to your office.

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Furthermore, we wish to bring to your attention the ongoing challenges we have faced, including incidents of theft by scrappers and chronic illegal dumping in the vicinity, which were extensively discussed with Mrs. Bell during her visits. Should any pipes have been removed from the property since February, it is our belief that such actions were perpetrated by unauthorized individuals exploiting the vulnerabilities of the site.

Lastly, it should be noted that this process has set this project back not less than \$400,000 as of the date of this response. As we cited in our previous response to the initial Violation Notice, several asbestos surveys and inspections predated any work at the site. In accordance with regulatory guidelines and at our discretion, we engaged an experienced licensed asbestos abatement contractor to conduct a thorough cleaning of the building, despite the lawful (and far less expensive) alternative of encapsulation or avoidance of asbestos-containing material. This meticulous abatement process incurred significant costs, which strained our already limited budget, and included rigorous air monitoring. We anticipate receiving the results of the air monitoring and clearance reports imminently, and upon receipt, we will promptly furnish these documents to your office.

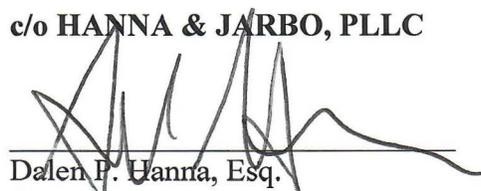
For your reference, a comprehensive record of correspondence, including emails exchanged with Mrs. Bell, City building officials, and Mr. Jeremy Howe, chronicles in detail our efforts to comply with regulatory requirements and mitigate external disturbances affecting the property. We remain committed to transparency and have consistently kept your office informed of all developments and activities pertinent to our compliance efforts.

We trust that upon a thorough review of the documented evidence and circumstances presented, the unsubstantiated claims outlined in your notice will be duly reconsidered. We remain open to further discussion to resolve any outstanding concerns and reaffirm our commitment to compliance with all regulatory obligations.

Respectfully submitted,

LOFT HOLDINGS, LLC
BLACKACRE MANAGEMENT, LLC

c/o HANNA & JARBO, PLLC



Dalen P. Hanna, Esq.
Counsel & Managing Member

7/3/2024

Dated