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News

The Ypsilanti Courier

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Tax freeze OK'd for Thompson

After third attempt, Beal says development will move forward

By Dan DuChene, Staff Writer

PUBLISHED: June 21, 2007

The Michigan State Tax Commission last week approved a tax freeze that was originally denied for the Thompson Block.

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Taking three meetings to approve the application, the group decided to approve the freeze on June 15, when the Michigan attorney general answered a question about ownership from the commission on June 7.

Stewart Beal, the building's owner, had applied for the freeze under the state Obsolete Property Rehabilitation Act last November. He hopes to save \$2 million in taxes over the next 12 years as he plans to invest \$4 million restoring the building for residential and commercial use.

The commission had initially denied the application in April, when the building's former owner, David Kircher, told the group that redevelopment work had been done on the building before the district was established, which would have violated the act.

Beal and city staff responded with letters that said the work had been done by a prior owner, and not Beal. When the commission met again on May 29, Kircher told the group that the building's ownership was currently in litigation.

"I mentioned that there's litigation," Kircher said.

Kircher purchased the Thompson Building, a former Civil War barracks, in 1967. He was sued by the city in 2002 over the condition of the building, alleging his property was in violation of the State Fire Prevention Act as well as several local building codes and ordinances.

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The court named Robert Barnes, of Barnes and Barnes, the building's receiver until Beal purchased the rights for the amount Barnes had foreclosed on the building, plus an additional unknown amount. After Kircher did not pay \$400,000 for the work that had been done on the building, Beal assumed ownership in November last year.

Fighting the decision, Kircher has made several lower court appeals, which he said hasn't wrapped up yet. However, the state Supreme Court did decline from hearing his case late last month.

"Mr. Kircher has now exhausted all avenues in his attempt to prevent progress on the Thompson Block project," Beal said in a recent press release.

Kircher said his case isn't over yet.

"There's no final judgment in this case," Kircher said of the lower court proceedings. "I still have my federal case in backup."

Beal said he intends to move forward with his redevelopment plans for the Thompson Block.

"We knew what we were getting into when we started this," he said. "We knew we were going to work hard the whole length of the way."

Beal said he can start work on the building once his loan is finalized, which requires 60 percent of the building's first floor, intended for businesses and restaurants, have lease contracts. He said there are leases in the hands of three tenants, enough to occupy 40 percent of the space. Though nothing is finalized, he said the cloud over the OPRA application was part of the reason.

"We're waiting for feed back from them," Beal said. "We just need one more tenant."

Before the decision to approve the OPRA was made, Kircher said he would attempt to appeal the commission's decision if an approval was granted.

"I have to investigate the appeal process," Kircher said.

"If they grant the abatement contrary to the state statute, than I would expect I would appeal," he said. "It should be every citizen's duty to save the state money."

Kircher said ownership of the building shouldn't be an issue as to whether or not work has been done. He said the law is intended for buildings that would receive no work if there weren't a tax freeze. He said the provision prevents redevelopers, who don't need it, from attempting to get more money from the government.

"I'm sure Kircher is going to try some crazy stunts," Beal said.

"There's not much more he can do," he said. "Pretty soon he will be out of any avenues."

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