



**AFFIDAVIT AND APPLICATION FOR ARREST WARRANT
AND THE ARREST WARRANT FOR THE PERSON(S) OF:**

Stacy Lee Neir; Dob: 10/06/1975, a White Female, 5'-4", 134lbs, Brown Hair, and Hazel Eyes, with last known address of 8920 East Beekman Place Denver, Colorado 80238, For Attempt to Influence a Public Servant Offense, C.R.S. 18-8-306 a Class Four Felony

I, Detective Joseph A. Delmonico #90-34, the Affiant, state under oath that the facts known to the Affiant which establish probable cause to believe that a criminal offense was committed, and that the offense was committed by the above named person(s), are the following:

On May 20, 2019 your affiant Detective Joseph A. Delmonico #90-34 was assigned the follow up investigation for a possible licensing violation for the Short-Term Rental Applications of Stacy and Alexander Neir. In addition your affiant respectfully requests that Short-Term Rental will be referenced as STR throughout the remainder of this affidavit. The Neir's have STR's, at 2145 Eliot Street and 4525 Tennyson Street, both located in the City and County of Denver. The investigation revealed the following:

On March 20, 2019, Denver Excise and Licensing Technician Alex Cobell received an application from Alexander Neir for a STR at 2145 Eliot Street, Denver Colorado. This record was flagged by the front desk Licensing Technicians because the applicant previously submitted a renewal for the same location and did not complete the application. Technician Cobell found that the property was owned by 2145 Eliot, LLC and he sent a communication on March 26, 2019, requesting the applicants photo identification. Technician Cobell also requested a lease and a landlord permission letter because the property owner did not match the applicant. Technician Cobell then checked with the Colorado Secretary of State and found that the principle address for the LLC is at 8920 East Beekman Place Denver, Colorado 80238 and the registered agent is Stacy Neir with a listed address of 2145 Eliot Street. According to the Denver Assessor's Records 8920 East Beekman Place the listed owners are Alex and Stacy Neir. Technician Cobell found that Stacy Neir has a Short-Term Rental License for 4525 Tennyson Street Unit 3 License Number 2016-BFN-00077990. Technician Cobell conducted a Google Search on both Alex and Stacy Neir and found a video on YouTube where they both talk about buying their home in Stapleton and how much they like living there. Alex and Stacy Neir are also business partners, running a real estate firm, "The Neir Team".

On May 17, 2019, Detective Joseph A. Delmonico #90-34 assigned to Denver Police Vice / Narcotics, Excise and License Section was contacted by Brian Snow Program Administrator for STR's. Brian Snow related to your affiant that he requested Excise and License Inspector Brooke Bearman to conduct a follow up on STR Licenses for Alexander and Stacy Neir at 2145 Eliot N Street and 4525 Tennyson Street, License Numbers 2019-BFN-002354 and 2019-BFN-0007790 respectively.

Inspector Bearman reported that on May 16, 2019 she responded to 8920 East Beekman Place and observed that this residence appeared to be lived in with kids toys on the porch. Inspector Bearman observed from the public path in the back of the house that the office looked like it was being used,

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papers were out, books, etc., and the kids room appeared to be lived in with toys in the window and a blanket was visible.

Inspector Bearman then conducted a neighborhood survey and contacted the neighbor at [REDACTED] Beekman Place identified as [REDACTED] lives [REDACTED] East Beekman Place and Inspector Bearman asked [REDACTED] if she knows the neighbors [REDACTED] and [REDACTED] stated Stacy and Alex Neir live in the house next door with their daughter, [REDACTED]. [REDACTED] further stated that she sees the Neir's almost daily coming and going to and from work and school. [REDACTED] stated that this past

[REDACTED] Alex Neir. [REDACTED] stated that the Neirs are great neighbors and Stacy Neir is the Block Captain for the Stapleton Neighborhood Group. Stacy according to [REDACTED] is a key contact and well known and liked person in the community.

Inspector Bearman then responded to 4525 Tennyson Street on this same date and there was no one at this location. Later Inspector Bearman contacted the neighbor across the alley [REDACTED] lives [REDACTED] Tennyson Street [REDACTED] and he was shown a photo of Stacy Neir and stated he has never seen her. [REDACTED] further added that she does not look familiar to him. Inspector Bearman also contacted the neighbor who lives at [REDACTED] Tennyson Street, identified as [REDACTED] and showed her a picture of Stacy Neir. [REDACTED] stated that the woman in the photo does not live in the building but has seen the woman in the photo. [REDACTED] added that she has not seen the woman in the photo much but has met her. [REDACTED] stated that she did not think the woman lives at 4525 Tennyson Street, but has not seen a lot of renters and if the residence is being rented it is not much.

Denver Excise and Licensing Compliance Coordinator Brian Snow is responsible for identifying STR Applicants that are violating the Denver City and County STR Laws. Brian Snow then sent Alex and Stacy Neir a letter, via email, from Denver Excise and License requesting that they complete a Notarized Affidavit indicating that the licensed premise of the STR is their primary residence. They both completed the affidavits that were signed and notarized to Excise and License indicating 2145 Eliot Street is Alexander Neir's primary residence and 4525 Tennyson Street is Stacy Neir's residence. Your affiant knows that many STR owners violate the laws established for STR's.

According to Denver Excise and License Records Stacy Neir signed an Affidavit of Primary Residence for her STR at 4525 Tennyson Street on April 9, 2019 that was notarized on the same date License Number 2016-BFN-0007790. Stating under penalty of perjury that this is her primary residence.

On May 13, 2019 Alexander Neir applied for an STR at 2145 Eliot Street and as part of his application he also signed an Affidavit of Primary Residence that was notarized on this same date, License Number 2019-BFN-00023543. Stating under penalty of perjury this is his primary residence.

Your affiant knows from training and experience that the most common violation of STR's is the owners do not live at the location their license is issued to and the neighbors continually complain about many issues associated with this. To include late night parties, loud music, and numerous people in the residence or staying at the residence, that do not live in the house or condo on a regular basis. Your affiant knows that the owners of STR's commonly do not live at the residence they are renting, and the house or condo is being rented on a daily basis or at minimum every weekend. This directly effects the

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neighbors and the neighborhood near the STR, and the owner of the STR has no responsibility as to what is occurring. Your affiant also knows that when a property is rented at a daily, weekly, or weekend rate, the property generates much more income then leasing the property to the same tenant or living at the property as required per the STR Laws. The owner or leaser of a STR is required to live at the location as their usual place of return, and a person can only have one place of residence, per the Denver Municipal Code. Therefore, the Denver Department of Excise and License requires all new applicants as of March 4, 2019 to sign an Affidavit of Primary Residence when submitting their application.

On May 29, 2019 your affiant responded to [redacted] Beekman Place and contacted [redacted] and showed her photos of obtained from the Colorado Department of Motor Vehicle of Stacey and Alexander Neir. Before looking at the photos [redacted] was contacted by your affiant, via the phone, and she named Stacy and Alexander and stated they were her neighbors. Your affiant showed the photos to [redacted] and she immediately identified the photos as Stacy and Alexander. [redacted] stated she did not want to be a bad neighbor, but she told the inspector that they were her neighbors and looked at the photos at that time. Your affiant observed that there was work being done at [redacted] Beekman the house south [redacted] and it was obvious that the house is occupied.

On May 29, 2019 your affiant viewed the YouTube video made by Alexander and Stacy Neir and it is clearly both Stacy and Alexander with their daughter. In the video they both talk about living in the Stapleton Neighborhood and talk about the parks and how much they like the home design. The home in the video appears to be the same house your affiant observed, based on being in the neighbor's [redacted] the Neir's home.

Your affiant conducted a computer check on both Alexander and Stacy Near, and both have a Colorado Driver's license with the listed addresses of 2145 Eliot Street and 4525 Tennyson Street #3 respectfully. Your affiant obtained the driver's license photos for their driver's licenses that listed these addresses. The house at 2145 Eliot Street is the addresses of the STR Alexander Neir is applying for a license and 4525 Tennyson Street is the address of the STR Stacy Neir currently has a license to operate. Your affiant knows from checking the internet listings of these properties that 2145 Eliot Street has been operated as a STR since 2013 and 4525 Tennyson Street since 2016.

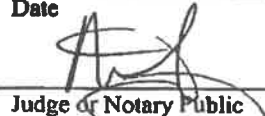
Based on these facts your affiant has probable cause to believe that Alexander Neir, Dob: 09/01/1973 and Stacy Neir, Dob: 10/06/1975 committed the crime of Attempt to Influence a Public Servant, CRS 18-8-306, a Class Four Felony, and your affiant respectfully requests an arrest warrant be issued so this investigation can be completed.

I affirm this information to be true and correct


Signature of Affiant

Subscribed under oath before me on

6/4/2019 Date 10:15 AM Time


Judge or Notary Public

MICHAEL T MOSCO
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20094040096
MY COMMISSION EXPIRES DECEMBER 9, 2021