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St. Paul City Council
15 West Kellogg Boulevard
St. Paul, MN 55102

File Number: RLH RR 21-24

Dear St. Paul City Council,

My office has received your certified copy of Resolution LH Substantial Abatement Order: RLH RR 21-24. There are a number of issues with the process undertaken and the result the Council came to. For the proceeding reasons, I am asking the Council to reconsider this issue and to grant a new hearing.

To begin, neither Ms. Lorie Miller, her business Tranquil Holdings LLC, or her attorneys' Thooft Law LLC ever received notification that a hearing on this matter was going to be held. Holding a hearing without ensuring affected parties have been notified is unacceptable and will not be tolerated. Razing and removing a structure is a drastic measure that should be the option of last resort. A decision of this magnitude should only occur after doing everything to ensure due process has been afforded to all parties involved. I truly hope that this was just an oversight on the part of the Council's staff and nothing more.

Furthermore, there were many issues with the decision itself as well. To begin, the Council did not factor in the nightmare that we all presently live in called COVID-19. COVID-19 has affected our society in every way. Ms. Miller and her business are no exception. Like many other small landlords Ms. Miller has tenants unable to pay their rent on a regular basis. Due to Minnesota's moratorium on evictions, Ms. Miller has been unable to evict non-paying tenants and find suitable replacements. Ms. Miller has lost her livelihood like so many others as a result of this pandemic.

Next, Ms. Miller has had to deal with an assortment of personal issues. She has had to deal with a stalker and had to get a harassment restraining order against this individual. There is evidence that this individual did many things to harm her and caused immense distress. It negatively affected her ability to conduct business.

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Additionally, Ms. Miller has had many health issues to deal with over the course of the last two years. Some of the things she had to deal with are endocrine deficiency, adrenal insufficiency, post-partem depression, and complications culminating from a c-section. This resulted in Ms. Miller having to spend time in the hospital on multiple occasions. Sometimes her hospital stays were only for a day and other times they were for a full month. Ms. Miller believed she was going to die and had lost all hope that she was ever going to live a normal healthy life ever again. Thankfully, she survived.

Both the personal and health issues have recently resolved. This has allowed Ms. Miller to make some progress towards bringing the property in compliance with St. Paul City codes. Ms. Miller has sought out bids and attempted to find contractors to fix the issues with the building. She is not made of money and needs to find a bid that works within her budget. This takes time and the City needs to show some compassion and understanding. Ms. Miller was not given a reasonable amount of time to fix the property.

Ms. Miller has not had enough time to fix the property for all of the preceding reasons but also because of the current nature of the industry. Have you tried to hire contractors recently? What timeline do they give you? I will share the answers that I have gotten from contractors in my personal experience. They do not say I should be able to work on your place in a few weeks or even a few months. The answer I have received is "I should be able to get to your project in the mid-summer or in the fall." Neither Ms. Miller nor anyone else can solve the issues to have the property fixed in this short amount of time. You are asking her to move Heaven and Earth which is simply something she or anyone else is incapable of doing.

I kindly ask you to reconsider and assign a new hearing date for the foregoing reasons. An applicable Chinese proverb states, "One moment of patience may ward off great disaster. One moment of impatience may ruin a whole life." If a new hearing is not granted, I will file a lawsuit and seek injunctive relief on Thursday, February 3rd. Thank you and I hope you recognize the procedural and practical issues with the decision reached. Thank you for your time and I look forward to hearing from you.

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I appreciate your quick and timely response to this letter.

Sincerely,

A handwritten signature in cursive script that reads 'Derek Thooft'.

THOOF T LAW, LLC
Derek D. Thooft
Attorney at Law