



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Tuesday, June 28, 2022

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 22-22](#) Ordering the rehabilitation or razing and removal of the structures at 1508 COMO AVENUE within fifteen (15) days after the June 8, 2022, City Council Public Hearing. (Refers to June 28, 2022 Legislative Hearing)

Sponsors: Jalali

Layover to LH September 13, 2022 at 9 am to demonstrate clear title. PO must apply for a building-only CCI by COB July 8, 2022.

Chris Boylan, owner, appeared
Mary Russell, neighbor, appeared via phone

Moermond: we left it with figuring out title.

Boylan: my attorney sent a statement.

Moermond: they indicate in the letter dated today that they have been engaged to assist you in correcting legal title. She says you satisfied your obligations under Contract for Deed several years ago but she died in 1988. Estimated timeline is six weeks for a determination of petition of decent.

Boylan: I have a real estate agent who sells Category 2 and Category 3 properties, he says 3 months. I assume that's from whenever the deed is filed. He did say going into court would change the timeline. She has said the same thing.

Moermond: we do have the Code Compliance Inspection and we do have the Performance Deposit and you do have access.

Boylan: right.

Moermond: we could work this on parallel tracks, one track working on getting bids and financing to do the work and the other track working on the title work so they come together. I'd much rather do them simultaneously than linearly.

Boylan: I asked the real estate agent about that and he warned me off that saying if I

get an electrician to do the work the City isn't going to like that

Moermond: you can't pull a permit to do anything. You are in no danger of doing work without recompense. You aren't in danger of it screwing things up unless you do work without permits. I am looking for bids to do the work. Pick someone you want to work with. A package for the rehab so when you can start they're ready to go.

Boylan: I wasn't planning on doing this. My intent was to sell July 13 and have someone else bring you this information as a purchaser.

Moermond: so are you seeing that person now? or are you waiting?

Boylan: I can't sell it because I don't have clear title.

Moermond: you are forbidden from City code from doing it but you could start working on a plan.

Boylan: I can't convey to the extent I can without a clean title. I can have the realtor market it he can't actually do a transaction, right?

Moermond: I'm saying you should be about the business of finding a development partner, because you can't transfer title until the work is done, they do the work and you hold title, come up with your arrangement. There are several types of contracts people have done to do that. While your attorney is working on clearing title you can be doing that. It won't transfer when you get the title.

Boylan: my understanding was I could put a purchase agreement in place you approved.

Moermond: yes, there are contracts we can approve or deny and the person you do it with. I'm looking for you to identify a person to work with and you're not wanting to do that work.

Boylan: I didn't think I could

Moermond: I'm not saying sign an agreement when you don't have title. But I want someone working on some of these plans.

Boylan: I'd have to discuss that with the realtor. My impression was until I had title in my name I couldn't engage in that process.

Moermond: you couldn't execute a purchase agreement, but you could be working with someone prior to that.

Boylan: I will have to talk to the realtor because that was not my understanding. So you want to see Bob's Contracting saying I have funding and the rehab plan?

Moermond: and as soon as title is clear we can look at the agreement. I don't want to end up giving 3 months to figure out title, then another month while you shop for someone, then another month while you shop again, then they need 2 months to figure out what they will do. Now we're six months down the road so that's why I want those parallel tracks.

Boylan: having heard you say this is I think I kind of didn't understand a statement

from him about "selling" it now.

Moermond: I'm not going to venture anywhere on that. I'm all about informal discussions with developers who are interested in doing the work and willing to put in some elbow grease.

Boylan: I see what you are saying, my head was in a different spot. My realtor has done this extensively.

Moermond: and I'm skittish around the term "market". I've done hundreds of these but that is in the code as something you aren't allowed to do. We can work with you on a contract but putting it on the MLS is not something allowed under code.

Boylan: seriously? How am I supposed to sell it?

Moermond: title is not supposed to transfer. I'm trying to help you not have to abate that nuisance condition. But I have to operate within the confines of the code. Maybe your real estate professional should be part of this conversation. And maybe it is about semantics and we are talking a past one another.

Boylan: I will do that.

Moermond: is your attorney undertaking this right away?

Boylan: she is. She's been hard to get ahold of. She does have a paralegal bird-dogging this now.

Yannarely: the code compliance is from last July.

Moermond: has anything changed with repairs that happened on the building?

Boylan: the roof is complete. It should have been finalized. The building is sealed.

Moermond: I'm probably going to ask for a "building only" inspection. Nathan Bruhn would go do a walk through, at a reduced price, and confirm there hasn't been damage to necessitate any other trades to go through. That using that expired Code Compliance is still ok. I'm not feeling like this is in fire. How about we talk again August 23. That would be 8 weeks from now.

Boylan: I'll be babysitting in Seattle.

Moermond: we could do it by phone. Let's go to September 13 at which point I'll be looking for concrete information on where you are at on the title and that your attorney has a report back. That is 10 weeks for them to resolve. That's what I'll be looking for then. I'll ask you to do that building only Code Compliance inspection. You'll fill out the same Code Compliance application only it will say building only, and we will let them know to expect it. and you hear where I'm at with your realtor and meeting with potential investors. I don't want to be doing this forever.

Boylan: I understand, neither do I.

Laid Over to the Legislative Hearings due back on 9/13/2022

COOK AVENUE EAST within fifteen (15) days after the July 13, 2022, City Council Public Hearing. (Legislative Hearing on July 12, 2022)

Sponsors: Yang

Layover to LH July 12, 2022 at 9 am (CPH July 13) for status update of rehab vs. removal. PO must post PD and apply for CCI before July 13 if requesting recommendation to refer matter back to LH.

Craig Barbee, attorney o/b/o City Mortgage, appeared

Moermond: this goes to Council July 13. We had a discussion about assigning sheriff's certificate. We don't have a Performance Deposit or Code Compliance Inspection.

Barbee: we talked about the timing of the redemption period, which expires September 30. Right now the main hurdle we are facing in doing the Code Compliance Inspection is the trash out. As we discussed, my client is between a rock and a hard place with that because we aren't the fee owner. Normally we would do an eviction and do a writ of recovery and store it onsite as abandoned under 504, the eviction statute. Doing it before sept 30 puts them in a place of potential liability. That's the main problem for us. Since we've talked last, my client needs to get access, they said Safeguard told them the door is nailed shut. They got a bid to repair the door and put on a lockbox. That should be completed in a week. They haven't even been inside yet. We're still gathering information. I think I'll know more in a couple weeks. They did get a bid for the exterior repairs, I know there is no Code Compliance Inspection, but to get a ballpark. That came in at \$43,000. They have investor guidelines which say you must maintain during the redemption period. They can't agree yet to let it go to teardown. Maybe that is ultimately what they decide to do. But we need more information as to potential cost of repairs and what is in the property. If it is totally trash and can be disposed or if there is something of value. I've looked at other remedies in dealing with the personal property. Abandoned property statute requires 30 days' notice to the former owner. We don't know where they are. I think we'll know more prior to July 13 if we are able to do the repairs. But that is where we are at.

Moermond: any orders?

Yannarely: one work order for grass but it was done by the owner.

Barbee: they are on top of it now.

Yannarely: and we did have to secure it prior to the previous hearing. Wide open, every door.

Moermond: I take it you've rejected a shortened redemption period?

Barbee: it wouldn't make sense now, by the time we got a court date the 5 weeks would be here anyways. We didn't do it before because someone was in there so they were served the papers. That was prior to Covid and it kept getting pushed due to the eviction moratorium. It wasn't flagged for shortened period because it came up as occupied.

Moermond: you're still not comfortable doing the junk out?

Barbee: once they fix the door, hopefully we can get someone in within 2 weeks to do

pictures and an assessment of the value of the personal property. Then we can assess the legal side if we can dispose of it and the potential liability if we did so. If we can't find the former owner we have to do public notice which takes 3 weeks. I possibly could know more, hopefully at least an interior inspection, and possibly a cost analysis. They may let it go then. We just don't know.

Moermond: without the Performance Deposit you won't get a recommendation from me of doing a continuance. With the Performance Deposit in place I'm still not inclined but I want to give you that chance to do that full assessment. I have hearings July 12; this goes to Council July 13. Give you time to have a deeper look at it. At a minimum I ask for that Performance Deposit and Code Compliance Inspection. You won't be able to do that Code Compliance in that time. Are they in a position of ownership to apply for a Code Compliance Inspection?

Yannarely: I'm not aware of any restrictions on who can apply for a Code Compliance Inspection.

Moermond: and allowing access?

Yannarely: that's a legal issue.

Moermond: can you do some homework on that before July 12?

Barbee: yes, we can. I am certain of that. There is statute 582 allowing us to protect it from waste. Once we put the door on we are in a mortgagee in possession and we retain the sheriff's certificate. So if we come back July 12 and apply for the Performance Deposit and maybe store possessions in a pod we could move forward.

Moermond: that's the conversation. I'm also aware this as a nuisance property and summer 3 with hoarded conditions. That's not great. Do what you can do, we'll talk July 12. See if you can get that Performance Deposit posted. See where your client is at once they get that assessment.

Barbee: sounds good.

Referred to the City Council due back on 7/13/2022

3 [RLH RR 22-24](#)

Ordering the rehabilitation or razing and removal of the structures at 1457 THIRD STREET EAST within fifteen (15) days after the June 8, 2022, City Council Public Hearing.

Sponsors: Prince

Layover to LH July 26, 2022 at 9 am. PO to submit prelim work plans, schedule, bids and provide update on clearing title by COB July 22, 2022. PO to replace lockbox and contact Bruhn with combination.

Carl Berger, interested party, appeared

Moermond: how is it going?

Berger: it is going. I have people helping me. I have a niece who is a realtor and works with a broker and her husband has a contractor license. I've talked to and they started the structural inspection. I put the lock box and got everything ready. Someone knocked the lockbox off and stole my tools right after that. I talked to the neighbors

and they only saw the inspector. I had a person by the name of Sterlockson drive out to see me and tell me about the condition of the property and said he liked it. I asked him who he was and he said he was interested in purchasing. I asked how he found out about it. I kind of blew it off because I don't need someone demanding answers for something he has no right too. The structural guy was there to do the inspection. I've had some medical issues, that's why I have help. That's when I found the lockbox off and my tools taken.

Moermond: we had a letter go out—

Berger: I just got it yesterday.

Staff update by Joe Yannarely: a June 17 letter stated evidence of financing in excess of 50\$k, an affidavit dedicating funds to the project, schedule, property must be maintained.

Moermond: you have new stuff to show us?

Berger: I was working with my niece on deed.

Moermond: will you be doing this yourself?

Berger: yes, with the help of my nephew and his contractor's license.

Moermond: did you submit evidence of financing?

[Berger brings up documents]

Moermond: we have a Code Compliance Inspection application June 7, 2022. I'll call and figure out what is going on for that. I see here a Ramsey County receipt for payment of taxes. We also confirmed that on the computer. Taxes are zero. I have a Performance Deposit from June 7. And expedition Credit union account with \$27,000 in one account and another with \$53,000. I'm going scan those in. So I'm seeing financing likely sufficient. We need that inspection, which is on the City. I think realistically if we get that Code Compliance Inspection in your hands you can start to have the contractors through. Let's talk in a month. Bids from the contractors. Any work you are doing accounts. The order you'll approach the rehab, a schedule.

Berger: when I bought the property I put in new doors and windows. The electrical has been removed with the extension cords. The furnace was handled along with the AC.

Moermond: your nephew is helping you. Let's talk again July 26.

Berger: regarding the title. The realtor has been contacted. They are dealing with the closure. I'll have the cancelled cashier checks that says I paid for it and who was responsible for settling the process.

Moermond: and when will you have that by?

Berger: hopefully this week.

Moermond: so a work plan and that information. Do you want us to contact you nephew? Do you have contact information?

Berger: I dropped my phone in the toilet so I lost everything. Apparently I was supposed to put it in the "clouds".

Moermond: you need that Code Compliance Inspection first. Then you'll get contractors to do those items on that list. Then after you put together those bids and a schedule of the work, you'll have an idea of what it costs. Get that new lock box on the door.

Laid Over to the Legislative Hearings due back on 7/26/2022

4 [RLH RR 21-60](#)

Ordering the rehabilitation or razing and removal of the structures at 1941 UNIVERSITY AVENUE WEST (STORAGE/GARAGE) within fifteen (15) days after the September 22, 2021, City Council Public Hearing. (Amend to grant 180 days)

Sponsors: Jalali

Grant 180 days to rehab the (accessory) structure.

*Dawit Solomon, President Eritrean Community Center of MN, appeared via phone
Essey Asbu, Secretary Eritrean Community Center of MN, appeared via phone
Ruth Ogbaselassie, treasurer Eritrean Community Center of MN, appeared via phone
Alec Armon, District 11 Community Council, appeared via phone*

Moermond left Tekle a Voicemail at 10:56 am: we have Mr. Solomon, Mr. Asbu, and Ms. Ogbaselassie on the line.

[Solomon was disconnected at 10:56 am, tried calling back and left a Voicemail at 10:57 am, tried calling again at 10:58 am.]

Moermond: I think we can have the conversation with the 2 of you and you can catch the others up. We are looking for \$38,670 to do the rehab, knowing you have the \$60,000 from the Star grant. The account statement does show you have the money, but the affidavit says you are only setting aside \$34,000. That leaves you short \$3,600. Is that a typo? Is it coming from somewhere else?

Ogbaselassie: the grant we are getting is \$65,000.

Moermond: ok, we will update our records. This will go to Council July 13. Because we've reviewed everything we are going to tell the permit desk they can issue permits for work to begin. As discussed we'd like that permit pulled by July 1. I wish you well. Remember to keep the site secure as the work continues.

Referred to the City Council due back on 7/13/2022

5 [RLH RR 22-29](#)

Ordering the rehabilitation or razing and removal of the structures at 1807 SEVENTH STREET EAST within fifteen (15) days after the June 22, 2022, City Council Public Hearing. (Amend to grant 180 days)

Sponsors: Prince

Grant 180 days to rehab or remove.

*Cory Johnson, owner, appeared
Rashad Kennedy, contractor & partner, appeared*

Moermond: I did see the property taxes were paid, which is great. You're company is doing the work, with subs.

Kennedy: Renovo Capital, they give me the funds to purchase and renovate. They're a lender I've used in the past. I'm going to try and do it for \$100,000 but I have \$117,000 estimated.

Mai Vang: the Performance Deposit was posted yesterday.

Moermond: we were looking for several things, let's take them by item. \$5,000 was posted. Taxes were brought current. Evidence of financing, I saw the account balance is the account is more than the amount of the estimate to be completed. Affidavit is included, which I have a question about. We have Mr. Kennedy's signature and intending to purchase ASAP and complete repairs prior to completion date. What are you trying to say with that?

Kennedy: I want to pull the permits as soon as we can.

Moermond: and you know the closing date can't happen until it is done. You need that Code Compliance certificate before you can do that. You both know that.

Johnson: ok.

Kennedy: ok.

Moermond: schedule looks ambitious but doable.

Yannarely: very.

Moermond: realistically, we give 6 month increments. I'll ask Council to give 180 days. If you're done in 10 weeks, wonderful. The work plan and sworn construction statement, nothing jumped out at me.

Yannarely: and the property has been maintained. There was one order in May prior to our discussions here.

Kennedy: we are mowing every 2 weeks.

Moermond: because Mr. Yannarely and I agree that this is done in terms of meeting conditions to get that grant of time, I'm going to recommend 180 days. July 13 is the next Council meeting. However, I'll ask DSI to allow permits to be issued so you can begin the work. you won't be delayed by the Council vote. 10 weeks can begin as soon as you want it too.

Referred to the City Council due back on 7/13/2022

6 RLH RR 22-38

Ordering the rehabilitation or razing and removal of the structures at 132 WESTERN AVENUE SOUTH within fifteen (15) days after the July 27, 2022, City Council Public Hearing.

Sponsors: Noecker

If PO posts PD and puts lock box on property to facilitate CCI (application already one file) refer back to LH August 9, 2022 at 9 am. Property must be maintained. August 9 must have update on title status and taxes must be paid (or confession of judgment in

place).

Jenny and Alfred Louismet, owners, appeared
Colin Rust, neighbor, appeared

Moermond: this has been in the Vacant Building program since 2018. So 4 years.
[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: the building is a two-story, wood frame, single-family dwelling with a detached two-stall garage on a lot of 6,098 square feet. According to our files, it has been a vacant building since October 8, 2018. The current property owner is Norma U. Louismet (deceased), per AMANDA and Ramsey County Property records. On March 16, 2022, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An Order to Abate a Nuisance Condition was posted on March 22, 2022, with a compliance date of April 21, 2022. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$40,000 on the land and \$146,300 on the building. Real estate taxes for 2019, 2020, and 2021 are delinquent in the amount of \$21,807.09, which includes penalty and interest. The first half of 2022 taxes have been paid. The property is scheduled for tax forfeiture in 2023. The vacant building registration fees were paid by assessment on November 1, 2021. As of June 27, 2022, a Code Compliance Inspection has not been done (was applied for on 5/26/22). As of June 27, 2022, the \$5,000 performance deposit has not been posted. There have been thirty-five Summary Abatement notices since 2018. There have been twenty-five work orders issued for Garbage/rubbish, Boarding/securing, Tall grass/weed, Snow/ice, Trim shrubs blocking public right-of-way. Code Enforcement Officers estimate the cost to repair this structure exceeds \$100,000. The estimated cost to demolish exceeds \$30,000.

Moermond: you have the same name as Norma Louismet, what is your relationship?

Alfred Louismet: I'm her grandson. Jenny is my wife.

Moermond: what is the ownership situation?

Alfred Louismet: still going through probate. Unfortunately my aunts and father passed away and none of them put it in their name. I'm 1/6 owner. My sister doesn't want to deal with it. My 2 cousins, their mother passed away under state assistance, as I've been told by lawyers all her interest goes to pay debts. My sister and myself are the only ones who have any rightful want for it.

Moermond: do you have the ownership and encumbrance report in your file Mr. Yannarely? The title cannot transfer until taxes are current. So the probate has made that difficult.

Jenny Louismet: we can get on a payment plan

Moermond: you can, I'm not 100 percent sure since you are not the owner. What they are is you pay the current taxes are due, and they put you on payments for past due amount. It is called a confession of judgment. Who is maintaining it now?

Jenny Louismet: we are.

Moermond: when did that start?

Jenny Louismet: April or May of this year.

Moermond: you want to catch up the taxes, do a fix on the house, and sell? Live in it?

Jenny Louismet: live in it. It is where he grew up.

Moermond: do you have access now?

Alfred Louismet: we fixed the doors.

Moermond: have you had break-ins?

Alfred Louismet: we have in the past.

Jenny Louismet: we've secured the kitchen windows with screws. We replaced some doors. We did motion detecting lights at the entrances.

Moermond: I see you applied for a Code Compliance Inspection May 26. Do you have a lockbox on the door?

Alfred Louismet: not yet.

Moermond: you need to do that ASAP so the inspectors can get in. That application sits in a pile otherwise. Is it cleaned out?

Jenny L Louismet: yes.

Alfred Louismet: it was hoarded, that's what we've been dealing with.

Jenny Louismet: two dumpsters worth.

Moermond: so it is cleaned out. Time for the lockbox. It is time for that Code Compliance Inspection report to get done and the Performance Deposit posted. As I think about that and your financial position with taxes. WE would need that Performance Deposit, that shows you have "skin in the game" and making a good-faith effort. I want that in place so I can say to the Council they are working with us and here is how they are working on these other things. This goes to Council first July 27 because I don't think you'll have this together by then. You have a lot going on. We'll take this in stages. First steps are the Code Compliance Inspection Report and the Performance Deposit. You have a fairly heavy list with the title work. Do you have an attorney?

Jenny Louismet: yes.

Moermond: and they're reaching out to the others. Do you know, if you enter into a confession of judgement and making payments, if you are able to transfer title.? That would be a good question to talk to Ramsey County about. I would find out more about that so you have a sense of what is involved. It could be before you can even drive your first nail you have to have that attorney, finish probate, pay past due taxes, and post that Performance Deposit. That is on top of rehab costs. Who is your attorney?

Jenny Louismet: Daniel Haller. I did include those probate documents in my email.

Moermond: I worked with a couple of your relatives. One was on the Revocation of the Certificate of Occupancy and order to vacate. It was a nonowner occupied property with a lot of work that needed to be done. Then later you, Jenny, filed an appeal of the Vacant Building registration and we waived it for 90 days. That is adding onto the past due tax amount too.

Jenny Louismet: I sent an email last Friday with some information.

Moermond: we don't appear to have it; please resend. Get that lock box on and let Nathan Bruhn know so we can get started. Do you have questions?

Jenny Louismet: I did but I've talked to Joe and Nathan. I think we're in a good place.

Moermond: this goes to Council July 27. I want us to speak again August 9. That should give you time to sort through some of these questions and what is involved on your end. If you have the Code Compliance Inspection report done and Performance Deposit posted, I'll ask them to refer it back to continue our conversation August 9.

Jenny Louismet: one thing that has been a stumbling block is our lack of electricity. When can that happen?

Moermond: let's get the Code Compliance done so the electrical inspector can look. It is common to have that issue and two electrical permits could be issued. One to do the general hookup, and one for the more extensive repairs.

Jenny Louismet: I just sent off that email again.

Moermond: and I'm glad to hear you're maintaining the property. That has been one of the issues in the past. Physically that is what the neighbors see. That's what the tells them you are in the game working on this. It is helpful in many ways.

Jenny Louismet: we have a vacant house on the block we are living in now, so we understand.

Referred to the City Council due back on 7/27/2022

10:00 a.m. Hearings

Making Finding on Nuisance Abatements

- 7 RLH RR 22-41 Making finding on the appealed substantial abatement ordered for 439 HERSCHEL STREET in Council File RLH RR 21-69.**

Sponsors: Jalali

The nuisance is abated and the matter resolved.

Referred to the City Council due back on 7/13/2022

- 8 RLH RR 22-39 Second Making finding on the appealed substantial abatement ordered for 575 PARK STREET in Council File RLH RR 21-71.**

Sponsors: Thao

Layover to LH July 26, 2022 at 10 am determine if nuisance has been abated and CC certificate issued.

John Flores, contractor, appeared via phone

Moermond: did you want Mr. Viggiano added?

Flores: just me.

Supervisor Joe Yannarely: 575 Park is about 95% complete.

Flores: some of the windows were at the hardware store all the time. I recommended to Hector, the A1 owner, to put in the windows. He's mulling that over now. I'm an old carpenter of 50 years and I know when it is gone. It is 95% done and just waiting on parts and carpet.

Moermond: how much time to finish?

Flores: windows are ready to be picked up and that will be done. A couple of weeks with the holiday.

Moermond: so for 575 park you think you'll be done in 2 weeks. So if I ask Council to look at this July 20 you will be done?

Flores: yes, I think so.

Moermond: actually let's do July 27, and I'll look at it July 26 to make sure it is done.

Referred to the City Council due back on 7/27/2022

9 RLH RR 22-40

Second Making finding on the appealed substantial abatement ordered for 595 PARK STREET in Council File RLH RR 21-72.

Sponsors: Thao

Layover to LH July 26, 2022. PO to post additional 5k PD and provide updated work plan and financing sufficient for completing the project.

John Flores, contract, appeared via phone

Supervisor Joe Yannarely: this was put at 60%.

Moermond: and it was 50% complete when we talked six months ago. Are you doing one property and then the other?

Flores: we were held up there because Mr. Viggiano didn't pay his bills. That's been the big problem. I talked to Nathan about getting my boss paid. Hector has done work on other properties and hasn't been paid by him. We're going to plow into it and then that should be the end of it. That's where we are at with that. Slow payment history.

Moermond: I assume you'll put a mechanics lien on the property and foreclosing to get your money?

Flores: I'm ready to do that, but Hector wants to give him some more rope. I've advised him to do it. We have mechanicals coming in now, the windows are on the way.

Moermond: for 595 Park because the progress has only gone from 50 to 60 percent I'm going to say another \$5,000 needs to be posted. Here's what I think can happen though if 575 gets its certificate, you can ask the Department to transfer that over to 595. So you don't have to write a fresh check. This has been my practice to require that. But you have to finish 575. I'll put this on the same schedule as the other one. For this one I'll be checking to see that Performance Deposit put down and transferring will work.

Flores: who pays that?

Moermond: typically it is the owner, Mr. Viggiano. He would need to make the ask to have it applied to the other property.

Flores: boss is out there now finishing up 575. There are people who want to buy that away from Frank.

[Mr. Flores gives his disapproval and lengthy explanation of how Mr. Viggiano has handled payments and has been a landlord in the past]

Moermond: when we talk in July we'll need a plan for finishing and how it will get paid for.

Referred to the City Council due back on 7/27/2022

10 [RLH RR 22-35](#)

Second Making finding on the appealed substantial abatement ordered for 521 YORK AVENUE in Council Files RLH RR 21-43. (Amend to grant 180 days)

Sponsors: Brendmoen

Grant an additional 180 days to rehab.

Maurice Griffin, owner, appeared via phone

Moermond: we talked last and were looking for an updated work plan and evidence of money to finish. We didn't get that.

Griffin: I gave it to the lady at the desk yesterday

Moermond: and we didn't get that from the lady at the desk. We'll continue this 2 weeks so I can look at it and we'll talk again July 12.

Referred to the City Council due back on 7/13/2022

1:00 p.m. Hearings

Vacant Building Registrations

11 **RLH VBR
22-31**

Appeal of Lisa Lee to a Vacant Building Registration Notice at 181 SHERBURNE AVENUE.

Sponsors: Thao

Grant the appeal and release the property from the VB program. Orders to be

transferred to Code Enforcement and given a deadline of December 1, 2022 for compliance.

Lisa Lee, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Matt Dornfeld: was made a Category 2 Vacant Building by me June 1, 2022 per a code enforcement referral for lack of water use since July 2021. Extremely tall grass and weeds. A foot high when I was there. Severe dilapidation to the exterior of the home. Took pictures, posted the Vacant Building placard. Received a call from the property owner after that and Ms. Lee and I went over the Vacant Building process and I advised her to file this appeal.

Moermond: tell me why you are appealing and what you are looking for?

Lee: I'm in the process of correcting the exterior of the house. I've increased my water usage since I got my notice so it is within normal range. Basically I'm working on all aspects. I shouldn't have not let the grass get so high and should have painted earlier. I had fascia replaced on the garage. The behind garage behind my garage caught on fire and the St Paul Fire Department removed some boards from my garage to make sure it didn't start on fire. I would like the Vacant Building order lifted because I saw it includes shutting off gas and water, which would be bad for my acoustic piano. I have been doing what I can to get it repaired.

Moermond: how long has it been empty?

Lee: it has never been empty. I have lived there a long time but I met a nice person who I spent a lot of time with. I work full time and have rehearsals in the evening. I am away a lot. I'm doing my laundry there.

Moermond: and water use isn't the question. It's the condition and whether it is actually a vacant building. It sounds to me you've been living with someone else and not on site doing normal housing maintenance things which lead the City to believe it wasn't lived in and you're saying you're going to live here and address these problems

Lee: yes. I've sent you a signed contract for painting. I have a contractor for replacing where the birds are pecking the siding. I'd have another contract but he isn't available until September. I contacted Powell and Company. The building is sound. The furnace was installed in 2005. The roof was done in 2015. The squirrel and bird work were done in 2020 during the pandemic. I've had trouble finding contractors.

Moermond: here's what we can do. If you are moving back into the house and doing normal owner occupant maintenance that is great. Lawn mowed. I will recommend you get out of the Vacant Building program but you still have the exterior issues. So I'm going to have the Vacant Building program refer it to Code Enforcement. You'll get a new letter from them with a deadline, I'm going to suggest 90 days. That is appealable too. The big deal is I'm taking you at your word you are back in there, but you have to work on the exterior.

Lee: I absolutely will. The only problem with 90 days is the problem with contractors. I have a contract but no date.

Moermond: I hear you. I can understand things are being pushed out. I'll give you the

entire construction season, so I'll give you a deadline of December 1.

Lee: I will work like crazy.

Referred to the City Council due back on 7/20/2022

12 [RLH VBR 22-32](#) Appeal of David Jacobowitch to a Vacant Building Registration Notice at 839 EDMUND AVENUE.

Sponsors: Thao

Waive the VB fee for 90 days (to September 9, 2022). Grant to July 15, 2022 for property to be vacated.

David Jacobowitch, owner, appeared

Moermond: we had an initial inspection that resulted in the condemnation and order to vacate and referred it to the Vacant Building program. You indicated you had cleaned the property and we had an inspection. You have that inspection report?

Jacobowitch: yes.

Moermond: so staff will walk through this report and then we'll talk to you about your perspective, ok?

Jacobowitch: we can proceed.

Staff update by Supervisor Kedrowski: an inspection was done June 22 as arranged at the last hearing to update to current conditions. Walking through with Inspector Hesse some mass had been removed from inside and yard. The old boiler replaced 3 years ago was still in the backyard. Found a lot of deficiencies not on the first orders. Extensive electrical items, a wire hanging through the ceiling in the kitchen. The light was missing. He said he removed the wire. The ceiling is open above the light switch where plumbing was done and you could see 2 wire nuts where it was cut off and not inside a box. Modifications made to try and hide issues that are making it work. I did not notice any fleas. WE did find mice. Extensive plumbing issues. They said Ryan plumbing did repairs. There is no history of a permit been pulled back to the last condemnation 7 years ago. They used an un-banded coupling to attach the toilet to the main line. A plumber wouldn't have done that. Still a lot of mass so we couldn't view some areas. A lot of rodent nesting.

Moermond: looking at the issues you identified as principle violations, gone uncorrected what is the safety concern? Why is it unsafe to have the wires that way? The plumbing configured that way? What's the thinking behind that?

Kedrowski: the lack of gas. It still hasn't been restored and no permit pulled. Standing water on the basement floor due to plumbing issues. Drains that don't work.

Moermond: any venting issues with the plumbing?

Kedrowski: it did appear there was one in the kitchen sink and upstairs. A lot of plaster issues where water has caused damage. The connections not terminated in the box are a fire hazard. It's old knob and tube wiring. Many areas that didn't have Romex connectors connecting them to the boxes cause fraying and can be a fire hazard. A lot of missing covers and cover plates.

Moermond: and that's a fire hazard?

Kedrowski: absolutely.

Moermond: the infestation concern is air quality? Biting?

Kedrowski: mice at this point, so anything from fleas on the mouse to virus from the droppings.

Moermond: tell me about the water damage. Has it compromised flooring or ceilings? Just staining? Where are we at?

Kedrowski: large areas of ceiling missing from access to areas where plumbing is worked on. A lot has caused plaster damaged on ceiling and walls. A lot of surface damage but nothing structural I saw. The main level and second floor appear to be dry. Basement had standing water. That was explained as a drain issue but I can't substantiate that.

Moermond: the illegal room in the basement?

Kedrowski: it wasn't empty and a lot of areas we couldn't get to. Mattress was removed, it doesn't appear anyone is sleeping down there. A lot of debris down there.

Jacobowitch: were you able to walk around?

Kedrowski: not as thoroughly I would have liked to. There was stuff stacked along the walls so I couldn't view that.

Jacobowitch: which areas?

Kedrowski: when things are stacked against the walls I can't view the walls, the floor condition, baseboards.

Moermond: when you had a chance to do the follow up inspection there are more items than the list last week in hearing. Would you say that it is in worse or better condition than you anticipated? Now you have seen more. More items mean greater severity?

Kedrowski: yes.

Moermond: before when we talked we had a vacate date with one day turn around. Anything in this inspection that would make you reconsider the date of the turnaround.

Kedrowski: it could have been one date or 7 depending on when they got the gas restored. Now seeing what I've seen I would support the fact it isn't habitable the way it is now.

Moermond: tell me, it does sound like its worse since they've seen more.

Jacobowitch: it is dramatically better ma'am.

Moermond: as far as being cleaned out.

Jacobowitch: we've been through this process in 2015. The electrical system was

looked at in 2015 and said to be adequate. It is exactly the same now as then. What changed?

Moermond: I am not looking at the 2015 information. I heard that there was a change in the kitchen they observed from wires hanging out. I'm hearing that is a change. I don't have the list in front of me to do a compare. Sounds like they have identified electrical problems. Extension cord wiring. Your point being it was ok that many years ago--

Jacobowitch: it was ok 7 years ago and now it's a massive safety code violation. I don't get it.

Moermond: I am looking at what is in front of me now. Are you saying there aren't exposed wires?

Jacobowitch: well, I don't know. There is one wire in the kitchen that was a concern and I unplugged it. I disconnected it. It is no longer a live wire.

Moermond: wire nuts, spliced joints, missing Romex connectors, missing junction box covers throughout the house.

Jacobowitch: that confuses me. Why was it ok 7 years ago and not now?

Moermond: are you disputing this condition now? I'm not going to relitigate what the inspector saw 7 years ago

Jacobowitch: I'm just saying I don't understand. I don't want to be railroaded through this and I feel like I am. It isn't fair and I'm not happy about it.

Moermond: you asked for another inspection. You just heard highlights of that inspection. Now I'm hearing from you about your comments. You're saying the last time it was ok. I'm saying I'm looking at today. Lots can change in that period. I need to look at those present circumstances. It isn't a railroading, I'm just explaining.

Jacobowitch: my goal is to continue to live in my house. I don't want to vacate. What do I have to do to continue living there?

Moermond: what I am looking at is not great.

Jacobowitch: but it is still nicer than the tent I will have to live in if you kick me out.

Moermond: I don't know you'll have to live in a tent.

Jacobowitch: yeah, you think I'm a millionaire! You're going to create 5 homeless people!

Moermond: I need you to calm down.

Jacobowitch: I am perfectly calm ma'am. You know d*mn well what you're doing.

Moermond: what I think you need to connect with House Calls and they can help you with temporary housing.

Jacobowitch: I don't want temporary housing.

Moermond: I don't think this is safe to be in. I want it safe as quickly as possible.

Jacobowitch: if you don't think it is safe now, I have \$3,500 to make it safe. Where do I spend that money? You're basically taking my house from me. And that isn't cool.

Moermond: you asked what your priorities should be. Going back to that, in my view--and the Council could disagree-- this isn't safe to live in now. I can say that getting those corrections made is the priority. Finding a place to be for a month or two.

Jacobowitch: that would cost me additional money I can't spend on the house.

Moermond: and you need to find some emergency money.

Jacobowitch: once I'm out I'll never get back in because of the way you guys operate. I know that! I just want to live in my house! Period. In New York they sentenced landlords to live in their decrepit properties to teach them a lesson. Why can't you do that to me? I'd love to live in my property. I don't want to live anywhere else.

Moermond: what I would like to do is get you connected with some emergency housing money to do some repairs so you aren't spending your \$3,500 on--

*Jacobowitch: I'm not asking for f*cking government money! I don't want a cent from the d*mn government. I just want the right to live in my house. My taxes are high enough already. You're spending money—you see, you want to take care of me, shoo me out of my house, put me in a d*mn f*cking prison that costs \$5,000 a month. No! I'm not interested. I want to be free! I want to be independent! And you're taking all that away from me.*

Moermond: you know, you pay taxes too. This kind of emergency housing comes from people taxes. You've contributed. We aren't talking about a handout; we're talking about money you've contributed as well

Jacobowitch: it just isn't acceptable to me ma'am. Even though this whole thing is extortion from me. I'm prepared to repair the house so I can stay in. is there any way I can do that please?

Moermond: one is my recommendation to Council, and another is Council looks differently at it than I do.

Jacobowitch: I doubt it. I know their history.

Moermond: I asked the building inspector if they could get a Code Compliance Inspection done as soon as possible knowing you want to be back in ASAP. I get you don't even want to leave.

Jacobowitch: I won't leave voluntarily. You can drag me out kicking and screaming but there will be a fight.

Moermond: he has said he will make his people available right away.

Jacobowitch: still not acceptable.

Moermond: I am going to tell you that our Planning and Economic Development

department does have money, so you can use the money you have saved to pay for housing.

Jacobowitch: I'll just live in my car and carry around a sign saying the City of St. Paul did this to me.

Supervisor Matt Dornfeld: if there's something that would go wrong in your house first responders have to come help you. That is their job. How dangerous is your home for them to enter—

Jacobowitch: not any more dangerous than any other house.

Dornfeld: you have to take that perspective into consideration as well.

Jacobowitch: you have people in third floor apartments going up rickety stairs. That is perfectly legal in this d*mn City. I can't live here because I don't have things on my wires. It's a double standard and you know it.

Moermond: we have different opinions on this.

Jacobowitch: we do indeed. You still haven't answered my question. I have \$3,500 what can I spend that on in the house.

Moermond: I think that money should be for housing rather than repairs.

Jacobowitch: no because that's separates me from my house. I'm already paying the expenses on my house. It separates me from my money. It's a waste. I'd rather spend it repairing the house. Please lighten up and give me chance here. I do want to repair it. Make it better. I am motivated to do it. Allow me a path forward. Please. I'm begging you. I'm entirely at your f*cking mercy. I feel like you are giving me no options. You are railroading me out of my house and it is going to end up like 1904 Princeton. I feel like that's what you want and there's no way I can avoid it.

Moermond: I don't want that. I'm trying really hard to help you. I would get some bids to do the plumbing and the electrical work on this list, and the extermination. Get contractors in there.

Jacobowitch: I would have to find financing.

Moermond: I'm saying the best argument is to get bids and show you can pay contractors to do the work. Quickly address it. That would tell them you have your act together and you know what you are supposed to do and you can do it

Jacobowitch: so I have to apply for a loan.

Moermond: yes.

Jacobowitch: any City assistance?

Moermond: I was just explaining the City emergency. Do you have equity in your house?

Jacobowitch: it is condemned and probably isn't worth anything. On paper according to the City the house is worth \$200,0000. That's because they've artificially inflated

housing prices so you can tax them and get your pay checks.

Moermond: reach out to your bank. If you've owned it this long and you've been making payments.

Jacobowitch: perhaps. If I wanted to pay for it the best of my life.

Moermond: I think you need that Code Compliance Inspection. I think you need to address those problem and get contractors in. that means you have to leave the house. I'm hearing you don't want to do that. if you want to make an argument to the Council about how you will do that—

Jacobowitch: I do, but it won't work.

Moermond: I'm going my best for you.

Jacobowitch: you aren't, but continue.

Moermond: get them in to do a bid and see what you are looking at to be able to do these things. Then let's figure out the money. I'm not going to make that argument, but if you want to go in with your homework done that is the best way to approach it.

Jacobowitch: I do have a nuclear option here. I have a pension I haven't drawn on yet. The cash option is well over \$200,000. I could take that as a cash lump and rebuild brick for brick. But then I have no pension to live on and I'll have to kill myself at the end of it because I don't have any money to live on.

Moermond: this isn't a \$200,000 job by any stretch. Getting handle on what it actually is. I'm going to say I don't think this report is enough. I think you need a thorough inspection by the trades inspectors and be out of the house while the work gets done. You're going to argue you want to stay in it while this work from this list gets done.

Jacobowitch: correct.

Moermond: and if you want to make that argument, it won't fly for you to just walk in and say give me all the time you can. You need to do your homework. I've talked to plumbers, this contractor, and based on this list it is going to cost me this much, and I have the money to do it. As you talk about the money available to you I'm having trouble picturing you living in your car and making that choice. I'm not hearing you are destitute.

Jacobowitch: I'm not going to waste money on another house when I already have one.

Moermond: I'm giving you the best advice on what your argument could be. We will send information on the emergency loan program. Talk to your pension people. Talk to your bank about equity. Ms. Zimny looked and they are accepting loan applications the beginning of August. This goes to Council July 13. If you do end up needing that punch list report I have asked the Building Official to expedite that. So you have that list as fast as possible to do it.

Jacobowitch: I would love to repair the gas and get it up and running. Can I get information to do that? Just the natural gas service. I think it needs to be inspected and have 2 valves replaced?

Moermond: and what I was hearing was that needs to happen for the stove but there is suspicion that there are deeper problems.

Kedrowski: my interpretation of the orders from Fire and Xcel was that it was a faulty valve seeping and that's why the ventilated the house and red tagged that area and pinned the meter. Any licensed gas fitter looking at those valves would likely replace them and check for leaks, then it could be turned back on. I don't see why that couldn't be restored.

Moermond: so you need a plumber. And they need to pull a permit. That would be ok as far as I'm concerned to get the gas back on. I'm thinking the inspector should check the other valves in the house. I'm not sure if the Fire Department checked all of them.

Kedrowski: there was a new valve put in for the water heater and boiler when they were installed. The only two valves I saw that were the sub-standard tapered valves were the one at the laundry area and the one called by the Fire Department.

Moermond: so the laundry and stove valves, you can get a licensed contractor to pull a permit and do the work. We'll note that in the system.

Jacobowitch: when I tried to do this earlier I was told I needed to have a Fire Department report.

Moermond: you don't need that. You need a licensed plumber to pull a permit. A plumbing inspector will then inspect that work.

Jacobowitch: I can probably get that done within a week.

Moermond: that's all to the good. I would say the more you can show you have your act together, talk to that same plumber about getting a bid on all the other stuff while he's out. You may not get what you are looking for, a lot depends on you and I'm looking at things that are a D-. I've seen worse, but I see the worst of the worst. We have a plan of action. I'd be happy to look at what you bring forward to Council. That may or may not change my recommendation to them. I'm still willing to look at it. Get professionals in there and then say you're pulling funds from wherever and here's the paperwork.

Jacobowitch: my first choice would be to apply for a home loan through a bank. I believe my credit to be strong.

Moermond: this goes to Council July 13 and if you want to email or drop it off, we're happy to look at it.

Jacobowitch: can I live there until then?

Moermond: I'm going to say you can live there until July 15. You won't get another inspection between now and then. Do not do work without permits or you're going to get in my crosshairs and there is no way. You can clean. You hear where I'm coming from.

Jacobowitch: I do have 3 working fire detectors. I will buy 3 more carbon monoxide detectors.

Moermond: it has to be within 10 feet of the bedrooms. Normally hallway is the right place.

Kedrowski: the conversation was had that the hallway outside the sleeping areas would be adequate.

Moermond: write down your approach to this list, that's your strongest argument. I don't know that you will win, but that's your best foot to start on.

Jacobowitch: they are saying my basement toilet which has been there 100 years is illegal.

Moermond: the house wasn't built with a toilet in the basement. It was put in incorrectly without permits sometime between then and now. Why are you calling this out?

Kedrowski: closing it and making a bathroom of the area and installing a hand sink and proper ventilation. And permits. Enclosure to make it into a bathroom.

Jacobowitch: so I have to add a sink and enclose walls and vent it? That is doable. This house had an outhouse out back when it was built. The first plumbing they did was that basement toilet. I've heard it was put in before World War 1.

Moermond: still would have required a permit.

Jacobowitch: I don't think they had permits back then.

Moermond: they did require it and it would be in record.

Jacobowitch: what is a keyed plaster ceiling vs. unkeyed?

Kedrowski: when lathe and plaster was used, they nailed the lathe onto the framing members and as you push the plaster through it went through the openings and that would be called "keying". It would create a lip behind so once it dried it would hold it against the lathe. They also use horsehair to help join it together. Over time as you get vibrations, impact, it starts to break off the back part of the plaster and it starts failing. That is called "unkeying".

Jacobowitch: I've seen that. What are the rules about storing items in the attic?

Moermond: let's ask that differently. The storage in the attic, how is it not safe?

Kedrowski: there is combustible materials and there is no fire separation and the stairs are packed so it was inaccessible.

Moermond: so the stairs have to be cleared and the storage organized in a way that a firefighter can get up there in such a way they can manage a fire in the attic.

Jacobowitch: you said the eaves were rotted. I just saw some that had fallen.

Moermond: the place with the squirrel holes.

Jacobowitch: that was the porch, not the actual eaves of the house.

Kedrowski: there were two areas. The porch on the rear entrance, the fascia along that has squirrel holes. Critters getting in there. The upper peak at the front of the house has boards that have come out. The only way they will fail and fall is if they are pulled

out or rotted to the point where they have failed.

Moermond: what is your ability to get that yard cleaned up?

Jacobowitch: I can do that. It has been a revolving problem. We have cleaned it up and then we've taking things out of the house so we have to clean it up again. I will make an effort to clean it.

Moermond: where are you at with an abatement order on the yard?

Kedrowski: it was part of the original condemnation notice.

Moermond: that's different than writing an abatement order.

Kedrowski: we haven't written anything yet.

Moermond: you're holding off, ok. I'm asking because if they wrote orders on that "mess" the City would give you a deadline and if it isn't cleaned up the City would charge you for it. So I wanted to make sure that information was clear for your sake.

Jacobowitch: I think I understand now. I think we understand each other pretty well. Thank you for extending things to the 15th, I appreciate it and I will do what I can.

Referred to the City Council due back on 7/13/2022

2:15 p.m. Hearings

Other

13 **RLH WB 22-1** Appeal of Bettie Lewis to a Water Service Bill at 543 CENTRAL AVENUE WEST.

Deny the appeal.

Bettie Lewis, owner, appeared via phone

Moermond: we did get paperwork from you from CAPRW and see the household income put you over the amount to get energy assistance. What I am left with, and I'm truly sorry, is a situation where I think we had a failure of your faucet fixture and that failure, due to freezing, led to the large bill. There isn't a provision for me to be able to decrease it. Right now the policy is if the water is used it is the responsibility of the private property owner. I can recommend for them to approve and make payments at zero percent interest over a long period, but I don't have any other options in my toolbox. You can appeal directly to the Water Board and they may look at it differently. We'll send a letter how you can do that. I hear you; this is a large bill. I was really hopeful

CAPRW could do something. That didn't pan out.

Lewis: the piece I sent you from CAPRW was not the only thing we discussed. we also talked about a fun the water department guy said they don't implement and they do have funds available. It was only up to \$300.

Moermond: my understanding is that is done through CAPRW. Mr. Olson, any comments?

Olson: the Water Works money is administered through Community Action. I'm not sure if they use the same standard. You are more than welcome to call and ask them. Make sure to mention that specifically.

Moermond: do you have a contact person there?

Olson: you call into a phone bank. 651-645-6470.

Moermond: I believe the Water Board doesn't meet next until August. So you have some time to work with them. This will go to the water board August 9. We'll send a letter confirming this and give you information including taking another swing at the CAP and see if you do better mentioning Water Works. Please reach back if you have questions. I'm sorry the policy is what it is. We do want to be helpful.

Lewis: we'll talk to the board because the initial contact gave me the most logical thing. He told me it could be charged off to the sewer system. That hasn't even been looked at here. I knew the income guidelines.

Moermond: I don't think he knew what he was talking about.

Lewis: he got it from somewhere. I don't think he just made that up. It was never explored. He doesn't know what he was talking about, he just made it up?

Olson: I can explain. You were talking about the water running outside the home. The only thing that can possibly be credited are the sanitary sewer charges. You were set on a sewer base in January before this happened. So you wouldn't get credit because you only have 10 units.

Lewis: why didn't I know what that was?

Olson: January they set your sewer base. What it would be in a 90 day period. You had 10 units. Only for water in the house down the drain. No watering going on outside at that time. It was 202 units of water. There is nothing for the sewer Department to credit back for water outside the home.

Lewis: credited to be used inside but it ran outside.

Olson: you get billed for 10 units of sewer at the most all year wrong. So when an event happens like this in April, so instead of it being 202 of water plus sewer. So you aren't being charged for anything that runs outside of the home. You didn't get charged for that because you already got credited.

Lewis: so it ran outside.

Olson: we're only talking about sanitary sewer.

Moermond: so when someone gets a water bill they are charged for sewer and access to the service. Several types of charges in that bill. You don't charge people for sewer access beyond 10 units.

Olson: that is 100 percent correct. It is set the first bill of the year. January. The leak was in April. So when the bill came out the sewer charges were normal. That's the only thing that would ever be credited for water usage outside.

Moermond: so the technician said she would be charged for the water not the sewer?

Olson: that's what it should have been, but I don't know because I wasn't there.

Lewis: he called his supervisor and did the reading on the meter and then to know it was running outside. I wasn't using it. I get you are talking about sewage. I don't understand water coming outside the home being charged back. It ran outside.

Moermond: that is the policy. If my outside faucet was running it is still my responsibility to pay for the water that went out on the outside of the house.

Lewis: so we get screwed is what you are saying.

Moermond: I'm thinking it is a failure with the fixture and you probably want to talk to the water board. Their policy is if it is on private property you are responsible

Lewis: I don't understand being charged for water I didn't use still.

Moermond: yes, that is the policy. We'll send a letter confirming this with as much information as we can.

Referred to the Board of Water Commissioners due back on 7/12/2022