



**CITY OF SAINT PAUL**  
OFFICE OF THE CITY COUNCIL  
310 CITY HALL  
15 WEST KELLOGG BOULEVARD  
SAINT PAUL, MN 55102-1615  
Marcia Moermond, Legislative Hearing Officer  
EMAIL: [legislativehearings@ci.stpaul.mn.us](mailto:legislativehearings@ci.stpaul.mn.us)  
PHONE: (651) 266-8585 FAX: (651) 266-8574

October 13, 2023

BPH 1 LLC/Ideal Property Investments  
323 N Washington Ave 200  
Minneapolis MN 55401-1314

BPH 1 LLC  
PO Box 127  
Levittown NY 11756-0127

VIA MAIL

VIA MAIL

Wilmington Trust, NA,  
B2R Mortgage Trust 2015-2  
1100 N Market St  
Wilmington DE 19890

Shai Leibovich  
BPH 3 LLC  
55 – 39th St W, Rm 806  
New York NY 10018-0548

VIA MAIL

VIA EMAIL: [shai@rbkcapital.com](mailto:shai@rbkcapital.com)  
[Leibovich.shai@gmail.com](mailto:Leibovich.shai@gmail.com)

Jack Pierce  
Bernick Lifson  
600 Hwy 169 S.  
Minneapolis, MN 55423

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VIA EMAIL: [jpierce@bernicklifson.com](mailto:jpierce@bernicklifson.com)

VIA EMAIL: [bmichka@bernicklifson.com](mailto:bmichka@bernicklifson.com)

Re: Remove or Repair of the Structure at 1726 FOURTH STREET EAST

Dear Interested Parties:

This is to confirm that at the Council Public Hearing on November 8, 2023 Legislative Hearing Officer Marcia Moermond will ask that the City Council **refer the matter back to Legislative Hearing on Tuesday, November 28, 2023 if the \$5,000 Performance Deposit is posted and Code Compliance Inspection applied for no later than Friday, October 28, 2023.**

The performance deposit and Code Compliance Inspection forms can be found online here: <https://www.stpaul.gov/departments/safety-inspections/vacant-buildings>. Please contact the Department of Safety and Inspections directly at 651-266-8989 for questions regarding the application or payment process.

The code compliance application must include lock box code and box must be attached to door for use; it isn't sufficient to apply without ability for staff to conduct the inspections.



This matter will go before the City Council at Public Hearing on **Wednesday, November 8, 2023 at 3:30 pm. in room 300 City Hall.** If you are contesting Ms. Moermond's recommendation, or do not have the above items completed by deadline, you may:

1. appear in person (please arrive before 3:30 p.m. and check in with staff outside Council chambers); or
2. **Should you wish to address Council directly but not appear in person, you must register in person by noon on Tuesday, November 7 2023 here to testify via phone:**  
<https://www.stpaul.gov/department/city-council/city-council-public-hearing-live-testimony>.

If you don't wish to contest then no further action is needed and the Council will proceed with Ms. Moermond's recommendation above.

**For your reference, the following items must (eventually) be completed before receiving a grant of time from the City Council to rehabilitate the property:**

1. If you are intending to have a third party rehabilitate the property, pending transfer of title, the contract used for this transaction will need to be approved by the Legislative Hearing Officer. **Please note that title cannot transfer until the rehabilitation is complete and nuisance abated** (*samples included*);
2. **submit evidence of financing sufficient to complete the rehabilitation.** Staff estimates costs to exceed \$100,000. If total for bids are more than 20% less than staff estimate, a high level of detail will be required. Financing could be business or personal accounts, a line of credit, or construction loan. Other types of financing will be reviewed on a case by case basis;
3. **submit an affidavit indicating the finances will be dedicated to completing the project** and not diverted until a code compliance certificate is issued;
4. **submit work plan, sworn construction statement, or scope of work.** This should include **signed** subcontractor bids and a **schedule** for completion of the project; and
5. **the property must be maintained.**

If you have any questions, please contact me at 651-266-8585.

Sincerely,

/s/

Joanna Zimny  
Legislative Hearing Executive Assistant

Encl: sample transfer documents

c: Rehabilitation & Removal staff  
Carolyn Brown via email: [csp501dale@gmail.com](mailto:csp501dale@gmail.com)