

## **Xiong, Mai Chong (CI-StPaul)**

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**From:** Stephen Filing <stephenfiling@gmail.com>  
**Sent:** Tuesday, December 27, 2016 10:56 AM  
**To:** Xiong, Mai Chong (CI-StPaul)  
**Subject:** Property Issues at 526 St. Albans St. N.

I believe this was sent but I can't find it in my files so I am re-sending and hope we can chat later this week or email the councilman's response. I would like the councilman's perspective on this prior to the January 4 the council meeting.

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Thank you for your time on Wednesday November 30, and your attention to this matter.

On June 23, 2016, the city sent a notice regarding the length of the grass and weeds at 526 St. Alban's St. N. I was out of town attending to my father who had been rushed to the hospital with unexplained seizures. I received the notice upon my return and headed immediately to the lot, but the property had already been mowed. I spoke with Mrs. Steele who lives across the street to apologize for the appearance of the lot. She expressed surprise that the grass had been cut since according to her, it was not that long.

On June 29, 2016, we received a bill for 526 St. Albans St. N. for \$120, which my wife promptly paid, assuming it was related to the mowing charge. We thought the matter had been resolved.

In mid-September, we received a public hearing notice for the ratification of a \$320 assessment against the property at 526 St. Albans St. N. Naturally we were very surprised, and I subsequently attended the hearing. It was during the hearing that we discovered that the bill for \$120 had been sent erroneously.

Mine was the last case to be heard on Oct. 4, 2016. I sat through more than a dozen vacant building and nuisance issues and watched as fees were prorated or waived completely. In two instances, the property owners did not speak English as their primary language. Neither requested a complete dismissal, but hearing officer Marcia Moermond summarily waived the fees

In the first case, the woman had a recliner left on her property. She was notified and failed to act, and the city had to remove it. The property owner stated that it was not her recliner, and she was advised to call the police if this occurred again. Ms. Moermond recommended a summary dismissal of the \$300-plus in charges.

In the second instance, the property owner stated his tenants would not allow him resolve the issues in question, so he did not. Again, Ms. Moermond waived the \$400 –plus in charges. Since this property owner is landlord, he certainly could have charged any fees back to his tenants. Ms. Moermond noted that this owner had never received any other summary abatement orders. However, the city representative stated that the owner had, in fact, received notices regarding tall grass/weeds.

When we reached the final hearing (mine) we began with a video that showed the lot at 526 St. Albans before and after the mowing. Ms. Moermond stated the grass was too long. There was no ruler or measuring tool used in the video to indicate that the grass exceeded the 8" required to cut it.

I explained that I was out of town handling a family emergency, to which Ms. Moermond responded that it was not a valid excuse. I only hope that if Ms. Moermond has to juggle the difficult issues that come with an aging

parent, others show her more compassion that I received.

I inquired about the \$120 fee we had already paid, at which point the city staff realized that notices had been sent improperly regarding the alleged dumping of a grocery cart. However, since we never received an initial notice regarding this issue (only the bill for \$120), and since the materials had disappeared by the time the city crew was dispatched to retrieve them, I was assured by Ms. Moermond that these dollars would be refunded to me.

Rather than sending out a refund, I asked if the \$120 could simply be applied to the mowing and that the remaining balance be waived. Ms. Moermond came back with a resounding "NO!" She based her response, in part, on the fact that the property had previous summary abatement orders. Interestingly, that had not been an issue in the case referenced above.

She stated that the city would be refunding the \$120 in the next several weeks and that I would still be required to pay the \$320. To date, the city has still not refunded the \$120 it collected in error.

While I appreciate that the hearing officer has a difficult job, it is very hard to understand how justice is so arbitrarily being meted out by Ms. Moermond.

I will be attending the January 4, 2017 council meeting to request that \$320 in charges be waived. I also expect the city to refund the \$120 that they collected in error for alleged dumping.

Since this incident, we have had several dumping instance at 526 St. Albans N. including a dilapidated sofa, a dining room table and a broken bar stool, as well as several bags of lawn debris that included concrete chunks and a Halloween jack-o-lantern. In one instance, we called the police (as Ms. Moermond had advised another petitioner to do) and the inspection department, only to be told there was nothing they could do. Suffice it to, we had disposed of all these items at our own expense.

I look forward to talking with my councilman in advance of the meeting, and I am hopeful that he will be an advocate for me and other property owners in the area. We love St. Paul and want to help build a strong community of which we can all be proud.

Steve

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