

RUH VBR 18-82



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

OCT 17 2018

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number CHECK # 57441)
 - Copy of the City-issued orders/letter being appealed
 - Attachments you may wish to include
 - This appeal form completed
 - Walk-In OR Mail-In
- for abatement orders only: Email OR Fax

HEARING DATE & TIME
(provided by Legislative Hearing Office)
Tuesday, <u>NOV, 6, 2018</u>
Time <u>2:30</u>
Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1006 Maryland Ave E City: Saint Paul State: MN Zip: 55106-2724

Appellant/Applicant: Janelle J. Chambers Email jchambers@chandlerandbrown.com

Phone Numbers: Business (651) 228-0497 Residence _____ Cell _____

Signature: [Handwritten Signature] Date: October 16, 2018

Name of Owner (if other than Appellant): Ilme Solom Trust dated February 28, 1996

Mailing Address if Not Appellant's: Chandler and Brown, Ltd., 332 Minnesota Street, Suite W2610, St. Paul, MN 55101

Phone Numbers: Business 651-228-0497 Residence _____ Cell _____

What Is Being Appealed and Why? *Attachments Are Acceptable*

- Vacate Order/Condemnation/Revocation of Fire C of O
- Summary/Vehicle Abatement
- Fire C of O Deficiency List/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

Comments:

We are appealing the due date for payment of the vacant building registration in the amount of \$2,127.00. The owner of the home, Ilme Solom, is deceased. We are currently going through the probate process with the Ramsey County Court to establish a Personal Representative of the estate, so until that person is appointed no one is able to make decisions on behalf of the estate. We are appealing to get an extension of the due date because there is no access to Ms. Solom's funds until the appointment is made.

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CHANDLER AND BROWN, LTD.

ROBERT H. CHANDLER
PAUL D. BROWN*
ABRAHAM T. SCHWAGER*
JANELLE J. CHAMBERS*
JOSEPH J. PINGATORE*

ATTORNEYS AT LAW
332 MINNESOTA STREET
SUITE W2610

SAINT PAUL, MINNESOTA 55101

*ALSO ADMITTED TO
PRACTICE IN WISCONSIN
*OF COUNSEL

(651)228-0497
FAX (651)228-9237

October 16, 2018

St. Paul City Council – Legislative Hearings
310 City Hall, 15 W. Kellogg Blvd.
St. Paul, MN 55102

Re: Appeal for Vacant Building Registration

Dear Sir/Madam:

Enclosed please find the Application for Appeal for Vacant Building Registration. The purpose of this letter is to provide context as to why I am filing an appeal for the Vacant Building Registration for the address 1006 Maryland Avenue East, St. Paul, MN 55106. There is an annual registration fee in the amount of \$2,127.00 due on October 21, 2018. I am applying for an appeal to request more time to make this payment, as a result of the unique circumstances explained in the remainder of this letter.

The owner of the home for the address listed above was Ilme Solom, who passed away on May 14, 2018. My law firm represents her niece, Daiga Helmeste, who is Ms. Solom's only living relative in the United States. The Will of Ilme Solom and the Ilme Solom Trust nominated U.S. Bank Trust National Association as the personal representative and trustee, respectively. Since U.S. Bank Trust National Association is unwilling to fulfill either of those roles, I am currently working with the Ramsey County Probate Court to have Ms. Helmeste nominated as both the Personal Representative of the estate and the Trustee of the trust. There are no current assets in the Ilme Solom Trust, other than the real estate. Until Ms. Helmeste is nominated as Personal Representative there is no access to any funds available in the estate.

The Vacant Building Registration Notice was received by Ms. Helmeste much later than the date of mailing due to the slow turnaround by the U.S. Postal Service that forwards mail to her home in California. The date on the notice was September 21, 2018 and the delivery to Ms. Helmeste by the postal service was dated October 5, 2018, but was not received until October 9, 2018. This gives Ms. Helmeste significantly less time to respond to a notice than someone local who would have received this notice within a day or two.

The application to open probate proceedings for the Estate of Ilme Solom has been filed, but due to many unique factors with this case there is still potentially significant time before Ms. Helmeste is named the Personal Representative of the estate. Because U.S. Bank Trust National Association has declined to act as trustee, we are required to obtain authorization from every qualified beneficiary in order to appoint Ms. Helmeste as Trustee of the Ilme Solom Trust. We are in the

CHANDLER AND BROWN, LTD.

process of collecting each beneficiary's signature for the appointment, but the process will take time since two of the beneficiaries live in Estonia and do not speak English. When we do finally receive the signatures, it will then take another four to six weeks before Ms. Helmeste is formally appointed by the court and can access the funds of the estate. As stated earlier, there is no access to funds from the estate to pay this outstanding fee for the Vacant Building Registration until Ms. Helmeste is nominated as personal representative.

I hope that given these circumstances you will grant me the opportunity to appeal this Vacant Building Registration fee to give my client the time needed to access funds from the Estate of Ilme Solom to make this payment.

With this letter I have attached the Application for Appeal, a check for \$25.00, a copy of the City-issued letter that I am appealing, a certified Death Certificate for Ilme Solom, and the signed Certificate of Representation that was filed with the court which establishes Chandler and Brown, Ltd. as Ms. Helmeste's representative.

Sincerely,

CHANDLER AND BROWN, LTD.


By: Janelle J. Chambers

JJC:jmh
Enclosures

Cc: Daiga Helmeste via email



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
Saint Paul, MN 55101- 1806

Telephone: 651- 266- 8989
Facsimile: 651- 266- 1919
www.stpaul.gov/dsi

September 21, 2018

Ilme Solom Trustee
1006 Maryland Ave E
St Paul MN 55106- 2724

Customer #:206515

Bill #: 1397590

VACANT BUILDING REGISTRATION NOTICE

The premises at **1006 MARYLAND AVE E** has been inspected and found to meet the legal definition of a Vacant Building as described in Saint Paul Legislative Code, Chapter 43. You are required by law to register this building with the Department of Safety and Inspections, Vacant Building Division, by filling out and returning the registration form provided with this letter. You are also required to pay the annual Vacant Building Registration Fee of **\$2,127.00**. The fee is due upon receipt of this letter and must be paid no later than thirty (30) days from the date of this letter, as required in Saint Paul Legislative Code, Chapter 43. If this building is vacant due to a fire, complete the enclosed registration form and return it to this office within 30 days.

Payment must be received by October 21, 2018 .

You may pay this registration fee online by going to **online.stpaul.gov** and selecting the 'Make a Payment' option. You will need your customer number and bill number to process a payment - both can be found on this letter.

To pay this invoice by mail please send this registration form along with payment to:

DEPARTMENT OF SAFETY AND INSPECTIONS
375 Jackson Street, Suite 220
Saint Paul, MN 55101- 1806
Do Not Mail Cash

If you wish to pay in person, you may do so from 8:00am to 4:00pm Monday through Friday at the above address.

You may file an appeal to this fee or registration requirements by contacting the City Clerk's Office by calling (651)266- 8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

If the registration fee is not received in this office within 45 days of the date of this letter, the full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.

The Code Enforcement Officer has notified the Building Inspection and Design Section that this property meets the legal definition of a registered vacant building and in accordance with Legislative Code Chapter 33, no permits (except demolition, wrecking and removal permits) will be issued until the requirements of all applicable ordinances are fulfilled.

All category 2 and category 3 vacant buildings must be winterized with gas and water services shut off or, alternately, an excess flow gas valve must be installed in the dwelling, within sixty (60) days of the date of this notice.

WRITTEN PERMISSION FROM THE CITY OF SAINT PAUL IS REQUIRED BEFORE A CATEGORY 2 OR CATEGORY 3 VACANT BUILDING CAN BE OCCUPIED OR SOLD.

Category 2: Requirements include: 1. register/re-register the building, 2. pay outstanding fee(s), 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use.

Category 3: All requirements listed for Category 2 vacant buildings, AND obtain a **Certificate of Occupancy OR Certificate of Code Compliance** prior to the sale of the building.

If the use of this building meets the definition of a nonconforming use by the Zoning Code, then the use will lose its nonconforming status 365 days from the date the building was declared vacant.

You must contact the Enforcement officer , Tom Friel, at 651- 266- 1906 to find out what must be done before this building can be legally reoccupied.

The Enforcement Officer may declare this building to constitute a Nuisance Building subject to demolition and issue an Order to Abate under authority of Legislative Code Chapter 45. In the event this building is declared a Nuisance Building, subject to demolition, the Enforcement Office will notify all owners and interested parties of the Order to Abate as provided in the Legislative Code Chapter 45.

If you have questions about this annual registration fee or other vacant building requirements, please contact the District Inspector, Tom Friel, at 651- 266- 1906.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

Steve Magner
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information
Vacant Building Registration Form

SM: tf
vb_registration_notice 11/14

STATE OF MINNESOTA
CERTIFICATION OF VITAL RECORD

CERTIFICATE OF DEATH

STATE FILE NUMBER 2018-MN-017341

DECEDENT ILME SOLOM
LAST NAME BEFORE HELMESTE
FIRST MARRIAGE
ALSO KNOWN AS
SOCIAL SECURITY NUMBER 502 - 28 - 3896
SEX FEMALE
BORN SEPTEMBER 04, 1922
PLACE OF BIRTH TARTU ESTONIA

DATE OF DEATH MAY 14, 2018
PLACE OF DEATH REGIONS HOSPITAL
SAINT PAUL RAMSEY MINNESOTA

MARITAL STATUS WIDOWED (AND NOT REMARRIED)

SPOUSE
LAST NAME BEFORE FIRST MARRIAGE
RESIDENCE SAINT PAUL RAMSEY MINNESOTA
PARENT MINNA TREUFELDT
PARENT RICHARD HELMESTE
FUNERAL HOME CREMATION SOCIETY OF MN
DISPOSITION CREMATION

CAUSE OF DEATH IMMEDIATE ACUTE MYOCARDIAL INFARCTION
UNDERLYING

OTHER CONTRIBUTING CONDITIONS SEVERE AORTIC STENOSIS, DIASTOLIC HEART FAILURE, HYPERTENSION

MANNER NATURAL
MEDICAL CERTIFIER BRYAN PATRICK SVOBODNY, M.D.
640 JACKSON STREET, SAINT PAUL, MINNESOTA, 55101

THIS RECORD HAS NOT BEEN AMENDED

THIS IS A TRUE AND CORRECT RECORD OF DEATH REGISTERED IN THE MINNESOTA OFFICE OF VITAL RECORDS.

MR&C Certificate ID
11274536



19A-000305389

FILED: MAY 18, 2018

Molly Mulcahy Crawford

Molly Mulcahy Crawford
STATE REGISTRAR

ISSUED: MAY 22, 2018

DAKOTA COUNTY VITAL STATISTICS - HAST

THIS CERTIFICATE IS VALID ONLY WHEN PRINTED ON OFFICIAL WATERMARKED SECURITY PAPER WITH A SECURITY THREAD AND STATE SEAL OF MINNESOTA.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

PROBATE DIVISION
SECOND JUDICIAL DISTRICT

62-PR-18-841

Estate of:

Court File No. _____

Ilme Solom,
Decedent

**CERTIFICATE OF
REPRESENTATION**

Name of Party:

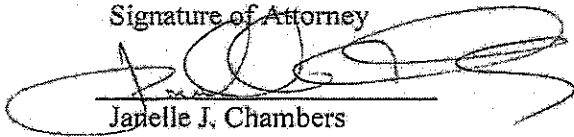
Ilme Solom

Represented by:

Attorney	CHANDLER AND BROWN, LTD.
Attorney Name:	Janelle J. Chambers
Attorney Address:	332 Minnesota Street, Suite W2610 St. Paul, MN 55101
Attorney Tel. No.:	651-228-0497
Attorney Fax No:	651-228-9237
Attorney ID No.:	0399185
E-mail:	jchambers@chandlerandbrown.com

I understand that my representation of the above party will continue until such time as I have filed a certificate of withdrawal pursuant to Rule 105 of the General Rules of Practice.

Signature of Attorney



Janelle J. Chambers

10/1/18
Date