



# City of Saint Paul

City Hall and Court House  
15 West Kellogg  
Boulevard  
Phone: 651-266-8560

## Master

**File Number: RLH VO 11-99**

**File ID:** RLH VO 11-99

**Type:** Resolution LH Vacate Order

**Status:** Passed

**Version:** 2

**Contact Number:**

**In Control:** City Council

**File Created:** 10/27/2011

**File Name:** 934 JUNO AVENUE

**Final Action:** 12/07/2011

**Title:** Appeal of George Warner, Esq., on behalf of Hassan Tetteh, to a Certificate of Occupancy Revocation and Order to Vacate 934 JUNO AVENUE.

### Notes:

**Agenda Date:** 12/07/2011

**Indexes:** Vacant Building Registration; Vacate Order; Ward - 2

**Agenda Number:** 76

**Sponsors:** Thune

**Enactment Date:**

**Attachments:** 934 Juno.appeal.10-27-11.pdf, 934 Juno Ave.VB Reg Notice.8-8-11.pdf, 934 Juno Ave.Photos.7-28-11.pdf, 934 Juno Ave.Warner Ltr 11-17-11.doc

**Financials Included?:**

**Contact Name:**

**Hearing Date:**

**Entered by:** mary.erickson@ci.stpaul.mn.us

**Ord Effective Date:**

### Approval History

Version	Date	Approver	Action
1	10/31/2011	Moermond, Marcia	Approve
2	11/16/2011	Moermond, Marcia	Approve
2	11/17/2011	Dave Thune	Approve

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	11/08/2011	Referred	City Council	12/07/2011		
	<b>Action Text:</b>	Referred to the City Council due back on 12/7/2011					
	<b>Notes:</b>	Waive the vacant building fee until January 1, 2012. If not in compliance, the VB fees will be assessed. Inspector will need to gain access to the interior and will provide a new list to address both the exterior and interior, including the tree.					

RE: 934 Juno Ave (duplex)

George Warner, attorney, on behalf of Hassan Tetteh; and Mark Hulsey, realtor, appeared.

Fire Inspector Mike Urmann:

- issue of property that had gone thru foreclosure
- was occupied by a tenant who was not approved by the landowner
- bldg is in need of repair; in foreclosure with legal issues
- unoccupied at this time so the life safety issue isn't there; it just needs to go thru this process

Mr. Warner:

- Dr. Tetteh is a heart surgeon in U.S. Navy and is currently in Afghanistan
- when he was in Twin Cities for medical training, he bought some rental properties of which this was one
- he then had to go to the East Coast for the military and this property went into foreclosure
- sheriff's sale - 2009 - Dr. Tetteh just didn't have time to devote his attention to this property; it fell into disrepair
- unfortunately, the tenant at the property became a hold-over tenant, who took advantage of the foreclosure process to live there rent free
- several months ago, Dr. Tetteh contact Mr. Warner when these matters came to light
- Mr. Warner investigated / determined that there should not have been a foreclosure because Dr. Tetteh's on active duty with U.S. Military; foreclosure was improper
- Mr. Warner began discussions with the mortgage company's attorney to rescind or undue the foreclosure
- Judge Guzman has issued an Order putting Dr. Tetteh back into title; foreclosure part is fixed
- Dr. Tetteh educated Mr. Warner of the abuses of the tenants so, got a rit of restitution and evicted the tenant from the property
- he and Mr. Hulsey are trying to help Dr. Tetteh repair the property
- there has been significant monies spent and corrective action taken place
- they believe that if inspected today, the property would likely pass but unfortunately, it's now a Cat 2 property and the C of O has been Revoked
- Dr. Tetteh would like to get the C of O back ASAP, get a good tenant in there to take care of the property and to ultimately, sell it in the not too distant future
- remaining issue: restoring utilities
- they want the bldg to be able to be occupied
- City staff actually suggested to Dr. Tetteh that he appeal this (Mr. Urmann said that was true, per inspector)
- understands that the largest problem was the hold-over tenant, who wouldn't allow inspection staff nor repair people to gain access to the property

Ms. Moermond:

- has a note about a dead tree that needs to come out of the yard (addressed to Fannie Mae); she printed it for Mr. Warner
- need to get rid of the tree
- will recommend the VB fee be waived thru Jan 1, 2012 if appellant gets the C of O re-instated
- looks as though the original Condemnation was for gas and elect shut-off
- looks as though an inspector has not been inside the bldg - need to get an inspector in there to do an inspection
- contact Inspector Rick Gain for appointment date; Appellant will get a new list with interior items that need to be addressed
- interior, exterior, along with tree removal all need to be addressed by Jan 1, 2012
- will get a letter about today's proceedings

2	City Council	12/07/2011	Adopted	Pass
	<b>Action Text:</b>	Adopted		
		Yea: 7	Councilmember Bostrom, Councilmember Carter III, Councilmember Harris, Councilmember Helgen, City Council President Lantry, Councilmember Thune, and Councilmember Stark	
		Nay: 0		
2	Mayor's Office	12/13/2011	Signed	
	<b>Action Text:</b>	Signed		

**Text of Legislative File RLH VO 11-99**

Appeal of George Warner, Esq., on behalf of Hassan Tetteh, to a Certificate of Occupancy Revocation and Order to Vacate 934 JUNO AVENUE.

WHEREAS, in the matter of the Appeal of George Warner, Esq., on behalf of Hassan Tetteh, to a Certificate of Occupancy Revocation, Order to Vacate and Vacant Building Registration for 934 JUNO AVENUE, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council waive the vacant building fee until January 1, 2012 and if the Fire Certificate of Occupancy has not been restored by that time, the Vacant Building fees will be assessed and a code compliance certificate will be required before re-occupation; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.

See accompanying correspondence