



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Joanna Zimny, Executive Assistant
legislativehearings@ci.stpaul.mn.us
651-266-8585

Tuesday, January 7, 2025

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 25-9** Ratifying the Appealed Special Tax Assessment for property at 1425 GALTIER STREET. (File No. J2506T, Assessment No. 258511)

Sponsors: Kim

Delete the assessment.

Sandy Valazquez, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor James Hoffman: June 13 we received a complaint about overhanging vegetation. David Smith went out and found the nuisance and sent orders to remedy on June 13 with compliance date of June 20th. Rechecked June 31 and work was done by the crew July 11.

Valazquez: it is inaccurate to say it wasn't completed. Maybe it was incomplete. We did get the notification and as new homeowners we did try and clear what we could tell based on the black and white pixilated photo that was pretty ambiguous. We were home when the crew came, and in the invoice the crew was there 30 minutes, not 2 hours. The branches we missed were 14 feet high and we didn't have the equipment at the time, that's why those weren't down. but the grass and bushes and everything on our property was bare, and that was our work. Also, part of our fence was broken when they removed those branches, but you can see in the photos the fence was broken by a branch that fell. We did take the time to clear out as much as we were able to and don't think it was 1.5 man hours. We're first-time home buyers and this isn't a serviced alley, the City doesn't pick up trash in this alley. It is for neighbors. In the 5 years we've lived here we've never got that kind of complaint before. It was a surprise to us and we did our best to comply.

Moermond: I do see a good-faith effort was made, and it was up to 6 or 7 feet. Did you call to get an extension at all or have a conversation with the inspector?

Valazquez: we didn't know it was an option, but also based on the ambiguous photo we did what we thought was needed. It wasn't until we were sent the color photos we

understood.

Moriarty: we overlooked that some of the higher branches needed to be cut.

Moermond: they trimmed maybe between 10 and 14 feet. Mr. Hoffman what is your estimate of the work done?

Hoffman: I agree with the upper portion. In the after photos you can see how much higher up the tree was trimmed back. The homeowners did something, just maybe not quite up to what the inspector was looking for.

Moermond: the reinspection was done on June 21, but the crew didn't show until July 11. That's a significant time period, so it would have been work ordered, would Sean Westenhofer supervised and said this was a lot done? Or what is that process?

Hoffman: once the work order is sent out Inspector Westenhofer goes and looks prior to sending the crew out. I can't speak to what he saw when he was there.

Moermond: are there photos from the reinspect on June 21?

Hoffman: there's one from June 21.

Moermond: and that looks so dramatically different than the Summary Abatement Order photo. You made a good faith effort, and comparing the amount of branches you would have removed, which was a ton. There's no history of problems at your property, which speaks well of how you take care of things. I'm going to recommend this assessment is deleted.

Moermond: the reason for deletion is the significant period of time that elapsed after the recheck and before the contractor did the work. Even the recheck photo looks good compared to the original photos.

Referred to the City Council due back on 2/19/2025

2 [RLH TA 24-520](#)

Ratifying the Appealed Special Tax Assessment for property at 1559 SUMMIT AVENUE. (File No. J2506T, Assessment No. 258511)

Sponsors: Bowie

Layover to LH January 21, 2025 at 9 am (unable to reach PO).

Voicemail left at 9:19 am: this is Marcia Moermond from St. Paul City Council calling you about your appeal for overhanging vegetation. We'll try you back in a little bit.

Voicemail left at 9:31 am: I'm looking at your file and I'll continue this 2 more weeks, to January 21. I have to have a recommendation at that point on the record. If you are still appealing then, we'll try between 9 and 10 that morning.

Laid Over to the Legislative Hearings due back on 1/21/2025

3 **RLH TA 25-12**

Ratifying the Appealed Special Tax Assessment for property at 1822 FORD PARKWAY. (File No. VB2505, Assessment No. 258804)

Sponsors: Jost

Delete the assessment.

Henry Edelstein, current owner, appeared via phone

Moermond: I've reviewed this file carefully with staff, and I think the Vacant Building team wasn't aware the fire inspection team was taking it back again. Fire said it can be out of the Vacant Building program now, and the timing of that was delayed in telling the Vacant Building team. When the file should have been closed is probably September 6, which is 2 weeks after the waiver expired. I'm going to recommend it is deleted.

Edelstein: thank you Ms. Moermond

Moermond: please let the others know, thank you.

Referred to the City Council due back on 2/19/2025

4 RLH TA 25-7

Ratifying the Appealed Special Tax Assessment for property at 1264 PAYNE AVENUE. (File No. VB2504, Assessment No. 258803)

Sponsors: Kim

Continue PH to July 9, 2025. If property is occupied, delete assessment. Change to Cat 1 VB and allow permits.

Lisa Proechel, Keller Williams, appeared via phone

Scott Fergus, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor James Hoffman: May 29, 2024 we received a referral from the neighborhood saying it was vacant and issues with the garage being unsecured and unmaintained. We opened a prelim Vacant Building, sent a Summary Abatement Order to secure garage. June 13 it was changed to a Category 2 and a Summary Abatement Order was issued for garbage and miscellaneous rubbish in the yard. Work order on the 25th to clean that up.

Fergus: it is my understanding we never received the Summary Abatement Order, it was sent to the prior owner, so we didn't have the ability to respond to it. Otherwise, we would have. This property is now one of 73 properties we own in St. Paul. We purchased the progress residential portfolio in the State of MN, which is 345 properties minus a few we've sold. Our goal, especially with the vacant properties, is to be a good neighbor and partner. If we don't catch it ourselves we will repair anything we get notice of. If we don't receive notice we may not be aware. I believe we were proceeding with repairs, but we didn't have a notice to respond to.

Proechel: we were proactively dealing with issues despite not receiving the notice. Scott didn't buy it until May 17—

Moermond: the warning letter was sent to you in July, so they did get that change for the second letter. The first letter didn't go to you. When I look at this property I see a garage that the service door and main garage door—one is open and one was damaged. The house looks to be in quite decent shape. Is that your experience?

Proechel: it is in good shape compared to the garage. We boarded the garage and

resecured the door on June 11, not because you told us too. We are actively doing it. It is a corner lot, so we ordered trash cans for the trash problem, so we didn't meet those timelines. We didn't know we had orders to clean it up.

Moermond: I see where you're going. The Summary Abatement Order was sent June 14 to secure the garage and the refuse, that was sent to the previous owner. Three weeks after your closing, the computer hadn't caught up. Had you gotten that notice would you have been changed to a prelim to a Category 2? I think its unlikely. You would have taken care of it before the City went to investigate it. The neighborhood complaint came in late May—

Hoffman: yes, late May. June 14 the garage had been secured, but new orders sent for trash. Work order on the trash after that. That wasn't sent to them either. We hadn't received updated ownership information.

Moermond: so unlikely we'd be looking at a Category 2 in that place. What's the situation now? Are you done with fixes and ready for occupancy?

Proechel: it is a huge difference between Category 2 and a regular repair. We didn't do anything due to the Category 2 issues.

Ferus: yes, we are ready to proceed.

Moermond: they couldn't appeal previous notices since they didn't receive them. Your Council Public Hearing is February 19. I'm going to push that to July 9. Mr. Hoffman can you change this to a Category 1 Vacant Building? If you have it occupied by then you're out of the program and no Vacant Building fee.

Fergus: that would be great. Our program goals are if they are vacant we are repairing and selling to owner-occupied buyers. We purchased for a variety of reasons, we wanted to stabilize the properties and we want to fix and sell to income qualified buyers in the community. We certainly appreciate the re-categorization of the property. Every time we have a fee we wind up having to try to increase the property price, and we are trying to keep them affordable. We expect to have an owner occupant by July.

Referred to the City Council due back on 2/19/2025

5 RLH TA 25-6

Ratifying the Appealed Special Tax Assessment for property at 911 SIMS AVENUE. (File No. VB2504, Assessment No. 258803)

Sponsors: Yang

Delete the assessment.

Lisa Proechel, Keller Williams, appeared via phone
Scott Fergus, owner, appeared via phone

Staff report by Supervisor James Hoffman: Category 1 Vacant Building. This is the annual Vacant Building fee, entered the program May 30, 2024. Total assessment of \$5,077.

Moermond: this is a similar situation except it was made a Category 1 after prelim, not Category 2 like Payne.

Proechel: same story where we didn't get the notice regarding cleanup the back. We

have continued to maintained the lawn. There was a huge storm that knocked down the tree between this and the neighbor's house. We immediately cleaned it up September 7. We're on top of it. But if I we don't get a notice I missed something, I can't take care of it.

Moermond: I'm not even seeing a Summary Abatement Order that went out on the first violation. For the \$345 cleanup, that will be deleted. As far as the Vacant Building situation.

Hoffman: there was an attempt to send a Summary Abatement Order, but it didn't get sent.

Moermond: the first Vacant Building registration letter went to previous owner. The second did go to you folks mid-July. Where are you at with rehab on this?

Proechel: we've started it.

Moermond: what was the reason or finding to make it a Vacant Building under chapter 43?

Hoffman: vacant, lack of maintenance, trash in the yard, tall grass. General lack of maintenance at time it was opened.

Moermond: these look like all exterior yard issues, not building related. They would have to be building related to get something more than a Summary Abatement Order. I don't think it meets the definition of a Vacant Building then if there were no issues with the structure. I'll recommend this is deleted since it doesn't meet the definition when it went into the Vacant Building program and because the notification went to the previous owner they couldn't appeal that. They got the second notice but they didn't get the Summary Abatement Order and don't feel like adequate notice was given to even have the conversation.

Referred to the City Council due back on 2/19/2025

6 RLH TA 25-5

Ratifying the Appealed Special Tax Assessment for property at 911 SIMS AVENUE. (File No. J2505R, Assessment No. 258508)

Sponsors: Yang

Delete the assessment.

Lisa Proechel, Keller Williams, appeared via phone

Scott Fergus, owner, appeared via phone

Staff report by Supervisor James Hoffman: Category 1 Vacant Building. This is the annual Vacant Building fee, entered the program May 30, 2024. Total assessment of \$5,077.

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Referred to the City Council due back on 2/12/2025

10:00 a.m. Hearings

Special Tax Assessments

- 7 **RLH TA 25-8** Ratifying the Appealed Special Tax Assessment for property at 776 DESOTO STREET. (File No. CRT2504, Assessment No. 258203)

Sponsors: Noecker

Reduce assessment from \$615 to \$536.

Jeff Richter, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: the cost of the assessment is a total assessment \$615. There are two buildings there. The main building and a storage building. That's when I saw the email you sent questioning it, both require their own Fire Certificate of Occupancy. The storage building had an appointment letter June 7, 2024, same with main building. Correction letter sent July 9. Compliance date for Storage building: July 7, 2024. Main building August 2, 2024. Billing dates Storage building: July 11 and August 12, 2024. Main building: August 6 and September 5, 2024. Orders on the Main building sent to Jeff Richter 1006 26th Ave NE in

Minneapolis, MN 55418. Storage building mail sent to Midwest Auto Connection, LLC at 776 Desoto St. St Paul, MN 55130.

Richter: I've owned this property since 2017. I've only ever been charged one Certificate of Occupancy fee until this year. I was under the impression the outdoor storage since it didn't have electrical it didn't need one. That's why I'm here.

Shaff: looking back in the file, as far back as 2004 there are two Certificate of Occupancies.

Richter: I was mistaken then. I'm ready to pay.

Moermond: I'll recommend approval. In terms of paying you can go to the 7th floor and the Office of Financial Services will take payment.

Richter: is it possible to get the \$115 taken off since there was confusion.

Shaff: the assessment roll didn't charge \$159 for each building; it did \$159 combined.

Moermond: they're on the same assessment roll. I think you do have a point about the confusion and the only place to talk that out is here. I'll recommend this goes from \$159 to \$80, which takes it to \$536.

Referred to the City Council due back on 2/19/2025

8 RLH TA 25-14

Ratifying the Appealed Special Tax Assessment for property at 896 ARKWRIGHT STREET. (File No. J2507T, Assessment No. 258515)

Sponsors: Kim

Reduce assessment from \$566.50 to \$366.50 and make payable over 4 years.

Sunshine Mouacheupao, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: this is for a Summary Abatement Order that was issued June 27, 2024 to remove vegetation hanging into the sidewalk, the public right-of-way. Compliance date of July 5, reinspected on July 10 and it hadn't been cut. Work was done August 7, 2024 for a total assessment of \$566.50.

Mouacheupao: we did do the work, and paid someone. They are our lilac bushes and are important to us. I didn't want it all trimmed back so we left a little bit on the fence. I didn't measure, but there was enough room to walk on the sidewalk. We did pay for it to be done, didn't request it was up to the fence. I didn't know it was supposed to be completely off the sidewalk.

Moermond: when I look at the order it does say alleys and streets must be cleared edge to edge, including public sidewalks, and up to 7 feet in height. Completely open, just like snow. It does look much more open than before, but it was still a good foot or more encroaching into the sidewalk. I think you made an effort but made a decision to not do a complete effort. I hear you thought it would be sufficient.

Mouacheupao: it was just a difficult year. My husband's job was affected by Covid. We truly cannot afford this, it has affected our marriage. I cannot take on another

detrimental bill.

Moermond: I can't decrease due to family circumstances. What I can look at in your favor is the part where you made some effort. Balancing those things, I can see reducing it, and I can also make it payable over a number of years. I'll recommend this is reduced to \$366.50. I'll recommend it is made payable over 4 years, which translates to you'd receive a bill for 1/4th the amount. If that is unpaid, which is fine, it goes on your 2026 taxes, with half payable first and second half of the year. Significantly less in terms of your immediate burden.

Mouacheupao: I appreciate the reduction, we can go with that.

Referred to the City Council due back on 2/19/2025

9 RLH TA 25-10 Ratifying the Appealed Special Tax Assessment for property at 525 MARYLAND AVENUE EAST. (File No. J2507T, Assessment No. 258515)

Sponsors: Kim

Approve the assessment.

Ruby Nguyen, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: a Summary Abatement Order was issued July 26, 2024 to cut and remove all vegetation blocking sidewalk right-of-way by August 2. Work wasn't done so work order was issued. The total cost is \$566.50. Quite a history at this property.

Nguyen: we did cut the tall grass. I believe the crew came out and it was raining a lot and it could be grass was taller.

Moermond: the assessment isn't for mowing; it is for the shrubs blocking the sidewalk.

Nguyen: I believe my husband did that as well.

Moermond: we have photos showing the crew did it. Did you receive those December 18 from Mai Vang?

What I'm seeing are the bushes and undergrowth are taking up half the sidewalk. The sidewalk needs to be clear up to 7 feet. We have low branches and then bush into the sidewalk.

Nguyen: then maybe we didn't do that high, but we did clean up.

Moermond: I don't think you did based on the photos. It doesn't look like it was touched before the crew showed up.

Nguyen: what does the letter say?

Moermond: it specifically talks about bushes and trees blocking sidewalk, nothing about grass. Mailed July 26. I'm going to recommend approval of the assessment but you are welcome to contest if you choose.

Referred to the City Council due back on 2/19/2025

10 RLH TA 25-11 Ratifying the Appealed Special Tax Assessment for property at 1064 STINSON STREET. (File No. J2507T, Assessment No. 258515)

Sponsors: Kim

Delete the assessment.

Steve Truen, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: Summary Abatement Order issued July 29, 2024 to Cut and remove all plant growth, vegetation, and branches into the alley to a clear height of 14 feet. We did a reinspection and it wasn't done, so a work order was sent. Total assessment of \$451.50. Pretty good history.

Truen: I did go through this once before and worked everything out easily with the inspector. I tried to take care of everything.

Moermond: Ms. Martin, when you look at the July 29 photo, it looks to me like it may be 1059 Burgess, and maybe 1075. Those shrubs extend almost halfway into the alley, vs. these which aren't as bad. Were orders issued to both sides?

Martin: absolutely. August 1, 2024 to owners at 1059 Burgess did trim everything.

Truen: my neighbor there has been through this before. He trimmed mine back the same day as he did his. We do it every year. I was hospitalized from June 19 until November 28. I have letters indicating that from my providers. I'm asking for forgiveness because my neighbor did watch the house, he trimmed his and told me he trimmed mine back. Even in the photo, this alley is totally unincorporated. It was paved by a man who lived down the street. I plow it for my neighbors. I do try to keep up my house, but I was incapacitated for six months.

Martin: and if the neighbor took care of his bushes, it was likely passable at that point. There was also a delay in them going out.

Moermond: there was also a good faith effort in having the neighbor manage things. I'll recommend this is deleted.

Truen: can't ask for better than that. Thank you so very much.

Referred to the City Council due back on 2/19/2025

11 RLH TA 25-13 Ratifying the Appealed Special Tax Assessment for property at 93 SYCAMORE AVENUE WEST. (File No. J2507T, Assessment No. 258515)

Sponsors: Bowie

Approve the assessment.

Jay Drieling, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: Summary Abatement Order issued July 22, 2024 to cut, remove and dispose of the plant growth and vegetation including branches hanging over the City sidewalk to a height of 7 feet. It wasn't done on recheck, so contractor did the work. Total assessment of \$624.

Drieling: I thought this was related to grass and possibly we didn't get the notice, but when I reviewed the email I received it indicated it was the notice I do remember to remove the vegetation and showed a picture of tree branches. We did go and remove branches; I have a photo from July 26 that I removed. I didn't cut weeds in front. The real mistake was not talking to the inspector about expectations. In my mind we met the needs of summons by removing the branches shown in the photo. Clearly, some of the trees have branches removed.

Moermond: I see them lying there in the photo, they got cleared?

Drieling: yes.

Moermond: Ms. Martin, when you look at the contractor's before and after photos what is your impression.

Martin: There's a lot of overgrowth on the sidewalk from the building. No current Certificate of Occupancy.

Moermond: so, some work was done, but a lot of work to be done by the crew a couple week after the branches were removed. Effort made to address parts, but not all got done.

Martin: even the boulevard is overgrown. There's a bag of garbage sitting by the door.

Moermond: we have four orders besides this issued in 2024. Is it subject to Excessive Consumption?

Martin: it is.

Moermond: and no Fire Certificate of Occupancy. Your address is in Minneapolis, I'm thinking you do need a Certificate of Occupancy. Is there a reason you don't have one? It does appear you are in the rental business. I'm going to recommend this is approved.

Referred to the City Council due back on 2/19/2025

12 [RLH TA 25-16](#)

Ratifying the Appealed Special Tax Assessment for property at 322 WINONA STREET WEST. (File No. J2507T, Assessment No. 258515)

Sponsors: Noecker

Layover to LH January 21, 2025 at 10 am.

Voicemail left at 10:57 am: this is Marcia Moermond from St. Paul City Council calling you about your appealed special assessment for 322 West Winona. We have overhanging vegetation in the alley. We'll reschedule this to Tuesday, January 21 between 10 and 11:30 am.

Laid Over to the Legislative Hearings due back on 1/21/2025

Special Tax Assessments-Rolls

- 13 **RLH AR 25-3** Ratifying the assessment for Collection of Vacant Building Registration fees billed during May 2 to July 24, 2024. (File No. VB2505, Assessment No. 258804)
Sponsors: Jalali
Referred to the City Council due back on 2/19/2025
- 14 **RLH AR 25-4** Ratifying the assessment for Securing and/or Emergency Boarding services during August 2024. (File No. J2505B, Assessment No. 258104)
Sponsors: Jalali
Referred to the City Council due back on 2/19/2025
- 15 **RLH AR 25-5** Ratifying the assessment for Collection of Fire Certificate of Occupancy fees billed during August 7 to September 10, 2024. (File No. CRT2505, Assessment No. 258204)
Sponsors: Jalali
Referred to the City Council due back on 2/19/2025
- 16 **RLH AR 25-6** Ratifying the assessment for Excessive Use of Inspection or Abatement services billed during June 21 to July 22, 2024. (File No. J2505E, Assessment No. 258304)
Sponsors: Jalali
Referred to the City Council due back on 2/19/2025
- 17 **RLH AR 25-7** Ratifying the assessment for Graffiti Removal services during July 19 to 29, 2024. (File No. J2505P, Assessment No. 258404)
Sponsors: Jalali
Referred to the City Council due back on 2/19/2025

11:00 a.m. Hearings**Orders to Vacate Code Enforcement**

- 18 [RLH VO 24-37](#) Appeal of Amber Duncan to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 973 FRONT AVENUE.
Sponsors: Kim
Property must be vacated by noon on Friday, January 10, 2025.

*Amber Duncan, owner/occupant, appeared via phone
Tara Smith, sister, appeared via phone*

Tried calling Tara at 11:51 am, went straight to Voicemail: this is Marcia Moermond from St. Paul City Council calling about your sister's property at 973 Front. You're welcome to follow up with us or Amber after the hearing. Our number is 266-8585

Staff update by Supervisor Richard Kedrowski: there were two inspections since December 17. First was January 2, 2025 with St. Paul Police Department and Inspector David Smith. We did do the interior, with the exception of the basement. No access. The interior was in deplorable condition. Heavy mopping in the kitchen, but it appeared water was just dumped on the floor, it was being pushed into vents and corners. Multiple holes, in insulation. Kitchen cabinets coming off wall. Thumb lock missing from door, which makes egress impossible. Clutter blocking egress on stairs, including a chair. Numerous windows broken, one had a pillow stuffed through it. Lots of missing hardware and door trim. Large gap at rear door, weather just coming inside. Exterior had numerous infractions. Rear shed roof that the support posts are just propped underneath. There's OSB rotted through on the roof. Much rotted wood around windows of home. Garage full of debris. Deteriorated paint. Pretty bad shape. Did a follow up inspection yesterday, January 6 to get into the basement. I'm a little reluctant to sign off on the furnace repair on the basis that any reputable contractor would have removed the packaging they used and put the cover back on the furnace. Some modification to the furnace. It does appear to be newer, shiny, no dust, but no permits had been pulled. Water heater had access panels removed.

[Tara Smith added to call]

Kedrowski: my photos show they were on the ironing board and that's 240 volt electric which if kids got near is bad news. Very unsafe. Lots of daisy-chained electrical. There's a dryer with the duct work removed. Some storage in basement, lead water main coming into the house and the valve before the meter is missing the turnoff handle. There are also some green treated support posts in the basement and not installed correctly. Just on the floor, no footings or plinth blocks. Basement trap door had no hinges or hold-open device. Dog was in the kennel in the kitchen that had a large amount of feces in the kennel. Not normal for one occurrence, this was quite a lot preventing it from even laying down. Ms. Duncan said that was normal, so that concerns me as to the judgment of the safety of the animals.

Smith: the door is on one hinge to the basement. It stays open on the block. Structural stuff was done by a company before we owned it. It had been inspected by the City prior to it. The water meter was just replaced when the furnace was repaired. Everything from the meter before they had no handle because the stop for the water main is beyond the water heater. They took all of that out and put in a stop line after the meter which isn't normal but there was no space before. The City said when they replace the lead line going into the house it will be replaced. The water heater was my fault, the kids are never in the basement, since I can barely lift that hatch. I left those off because we had a furnace guy out and checked the furnace and water heater and we have to put it back on for liability reasons. So that's on me. The furnace is in order, we've had them twice. Water heater had to have heating elements replaced. We put in new washer and dryer in the kitchen so Amber can access them with her disability. These are the things I'm responsible for as landlord. She has a new used working stove.

Moermond: what I heard from staff was the contract for deed from Georgia to Amber was being cancelled.

Smith: no, it is not being cancelled unless the City forces it. Amber owns the property as far as we are concerned. There are things we make sure are in working order as they aren't things she is knowledgeable about.

Moermond: you mentioned you were the landlord and that Amber owns the house, what does that mean?

Smith: Amber is not good when it comes to mechanical things. Since there are things my mom can get ticketed for by the City, we make sure they're working. She does have some disabilities, both physical and mental. It's a mom-daughter-sister side she is still in my mom's care for financial support, which I've begun helping with since my mom is getting older. This is the third house she's had under my parent's care. She will always be under their care. She will always need extra support. We're continuing to work with the City to make sure Amber has a place to live, but we are also very frustrated with the sanitation of the house.

Duncan: I am really trying. I'm not the best at everything. I really don't want to be on the streets with my kids.

Smith: I've never seen her do as well as she has since this started. I have seen a huge change in Amber. I'd ask for more time to make some of this stuff. I thought we were going into this meeting to make a plan for that. That this wasn't the end-all, be all.

Moermond: I was anticipating a plan would have been submitted by Amber or you prior to this hearing; yesterday or Friday. That's a problem.

Smith: ohhhh. I did not understand that when I read the document. I didn't understand I was supposed to submit something like that.

Moermond: well, you weren't. Amber was. However you divide up the responsibility is fine with me but ultimately the responsibility lies with Amber.

Duncan: I'm going to be honest Marcia, with my mental health stuff I didn't understand half of that paperwork, which is why my sister is helping me so much. You have to understand that I am really trying here. I'm doing the best I can to get my house better to get what the City wants. But it is going to take me time. It isn't just a two-week thing and then the whole house is going to be fixed and immaculate. It isn't gonna be that. It may take 3 to 6 months to get everything fixed.

Smith: we can't get the windows fixed. We're trying to work with certain programs. There are things I can do but they will take time. As far as the cleaning I left it up to the 10 people living there, it is their house. If you want to give me 2 days I can write up a plan and submit it.

Moermond: any other comments before I give you mine?

Duncan: when Department of Safety & Inspections I came in the first time you couldn't even walk through the house. It was not safe and I know that. I'm at fault for that because I should have been harder on the people that were living here to help keep it clean. I should have been harder on myself to get up and do stuff that I normally cannot do, just to make sure my house is in good condition. However, since then we

have scrubbed all the floors and most of the walls. Gotten rid of tons of garbage which Richard could vouch for. We've been trying to decrease as much stuff that doesn't belong in the house that we can to make it set up as an actual house, not just a pigsty and a playpen for garbage. I do want to be somewhere with my kids. I do want somewhere safe with my kids. I know I've really messed up and I'm trying to do better. I am sorry.

Moermond: no need to apologize. When I originally got the appeal on this condemnation and order to vacate, there were a number of things that were seriously concerning and we talked about those and put first the heat being restored and if that happened we could continue on a work plan to address the other issues remaining so they wouldn't have to be done instantly, but still get done. In the past couple of weeks, I've been looking at whether substantial improvements have been made and then a work plan. I really needed that and I needed the inspectors able to see progress when they came out. I get some things were removed, but I also heard from House Calls that their free dumpster wasn't used at all. Then I look at pictures and see garbage bags on the exterior of the property and I'm thinking that was hundreds of dollars in public money for you and that it didn't happen is disappointing. That really speaks more to the plan and how we get things done than current circumstances. If I look at a snapshot in time, conditions right now, which is the thing I need to look at to make a determination about whether this is a safe, healthy environment for people –adults or children. That's my concern. I have got feedback about the likelihood of you being able to maintain things moving forward and that isn't good. I've heard from you that there are disability issues impacting the ability to get this property clean and safe and maintain it moving forward. I can't consider that when I look at this, aside from how it may influence a work plan. Is it, right now, safe for people to be living in? How can we work on that and the probability of it getting better based on active steps taken.

Despite your needing assistance, I also don't hear any legal guardian in place to take over official decision-making for the property. You are the responsible party. I understand it's hard for you, but I can only focus on the health and safety of the property. When I look at the photos and we just emailed you a police report from January 2, and the photos, I have to say the sanitation issues are really bad. You are mopping the floor the morning of an inspection and it appears to be the first step taken to clean. I find the property to be in a state of extreme dilapidation and interior damage. It is very unsanitary. One could consider that the illnesses experienced could be connected to the sanitation issues. You have over the legal number of animals in the property. I have given you every opportunity I would give others in this situation. In my mind I treated this fairly, given an opportunity to continue to be there and take steps to get it habitable. This isn't a safe house to live in and there's no imminent end in sight. I just don't think this is tenable right now, not doable. My recommendation to the Council is the property be vacated by noon on Friday. The Council may look at it differently, you can definitely testify. You now have the police report. Animal control has to be notified. Child protective services has to be notified. Police have concerns about the safety of the property, particularly the children. I spoke with Officer Perez this morning, and I said if he has those concerns there's nothing in this process stopping you from pursuing this. The Council Public Hearing is tomorrow at 3:30. I'll be writing a letter similar to the one in December. Then it becomes Vacant Building rules, which allows people in there to clean between 8 am and 8 pm. With number of people, animals, and sanitation and damage in the house I can't see my way clear.

Smith: the animals need to be turned over to animal control?

Moermond: no, re-homed. Whether it is someone you know, or animal control. They

can't stay in an empty house. Are there turtles too?

Smith: yes, a big fish tank with turtles. My main concern is keeping the property secure and keeping the water lines from freezing. We'll have to figure out what the Vacant Building program means for us long-term.

Moermond: you may want to look at dealing with things that require water earlier, and then decide to winterize it so you can drain the pipes and turn the heat off.

Smith: we'll probably keep it on so we can get it cleaned out. During the vacancy if we get it back to some sort of level of repair do we go back to the City so Amber can live in it again? Is there a process to that?

Moermond: if this goes into the Vacant Building program, this will be a Category 2 Vacant Building. It has significant housing code violations and was condemned. You will have to get an inspection report from the City to bring it into minimum code compliance. Once those are done it can be reoccupied. That means pulling permits, doing the work, and getting them finalized. You could move back in then. That's how the bureaucracy works at the City.

Duncan: no one needs to file with animal control or CPS because it has already been done. Animal control is trying to work with me as it is. CPS has been out numerous times.

Moermond: and I don't have any control over either of those. Maybe we will see you tomorrow. I'm sorry this isn't working out.

Duncan: that was the other thing. Is there any way to make that a little earlier? I have to work at 4:30 and my van's breaks went out so I have to take the bus. That means I have to leave around 3:30.

Moermond: there's no way for the Council to begin before 3:30.

Duncan: ok. Can I do it over the phone?

Moermond: you'd have to have signed up today for that before noon. Can Tara speak on your behalf?

Duncan: she can. It wouldn't be fair for the date for me to have to have it in because I didn't even know we were having a meeting tomorrow.

Moermond: it was in the letter I sent you.

Smith: I can't, I have to take Dad to a doctor appointment at 3.

Moermond: if you have testimony then, put it in writing and we can put it in front of Council in writing. We'll send a letter following the Council meeting.

Referred to the City Council due back on 1/8/2025

Summary & Vehicle Abatement Orders

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| 19 | RLH SAO 24-82 | Appeal of Joseph Richardson to a Summary Abatement Order and a Vehicle Abatement Order at 1875 NORTH PARK DRIVE. |
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Sponsors: Johnson

Grant to January 27, 2025 for compliance with SAO. Grant to February 3, 2025 for compliance with VAO.

Joe Richardson, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Richard Kedrowski: two items on the property, inspection done December 2 for some trash in the front and a Summary Abatement Order was written to dispose and remove it. Also, a Vehicle Abatement Order written for a ford that lacked a current license, lacking vital parts, and appear inoperable.

Inspector Munos was there yesterday and told me that the vehicle is still there, and so are the items in front of the house.

Richardson: I admit I have a problem. I'm working with the DAV to donate my car. I'm not contesting my issue, I'd just like time to get it all cleaned up.

Moermond: the original orders went out November 26. A full six weeks has elapsed since then. It sounds like no progress was made over those six weeks. What's going on?

Richardson: I have made progress. I've dug into the front area where I've been storing some stuff. It has been the holiday, and not trying to make a big excuse, but I've just been overwhelmed with it. I think I got the order the day after Thanksgiving. I agree it is too long, but I am working on it. I'd just appreciate your consideration.

Moermond: let's talk about the vehicle separate from the house. The front of the house looks pretty trashy. What are you going to do with that?

Richardson: I'll clear it out the best I can. If I have to get a dumpster bag, I will.

Moermond: you haven't started yet, what's stopping you?

Richardson: I just haven't done what I should have. I'm working on it. I was outside all day Sunday. I took 7 bags of yard waste to the compost.

Moermond: that's something, that's good. Did the DAV give you any feedback?

Richardson: no, I've been playing voice tag with them, and a couple of their calls have dropped on me. I'll work on that this afternoon.

Moermond: my job is to give you a date. Then, if it isn't done the City would take over and remove the vehicles and clean up the area. For the front cleanup, I'll recommend the Council gives a deadline of January 27th.

Richardson: that seems reasonable.

Kedrowski: as the owner, you can call and have a manager's tow. They'd hold it for value and if no one redeemed it they'd salvage or sell it. Just about any towing company will do that.

Moermond: we're going to send you a brochure for the House Calls program. They may have help for other things going on. I don't know your situation but it seems like these are difficult for you to handle. The number for House Calls is 651-266-1290. They may have a dumpster or the like to assist.

For the vehicles let's do a deadline of February 3, 2025.

Referred to the City Council due back on 1/22/2025

Making Finding on Nuisance Abatements

- 20 [RLH SAO 25-1](#) Making finding on the appealed nuisance abatement ordered for 317 DALY STREET in Council File RLH SAO 24-81.

Sponsors: Noecker

The nuisance is abated and the matter resolved.

No one appeared

Supervisor Richard Kedrowski: we are in compliance; the stairs are removed.

Moermond: the nuisance is abated and matter resolved.

Referred to the City Council due back on 1/15/2025

Correction Orders

- 21 **RLH CO 25-1** Appeal of Shyann Murphy to a Correction Notice at 2151 MINNEHAHA AVENUE EAST.

Sponsors: Johnson

Grant the appeal, and grant to January 24, 2025 for compliance with moving vehicle(s) to approved surface.

Shyann Murphy, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Richard Kedrowski: December 11, 2024 an inspection was done it was determined there were vehicles at the property that weren't in compliance with the vehicle policy. A Correction Notice was written at the time, and it appeared there were vehicles there for vehicle sales or repair so language was included about operating a business.

Moermond: in the photographs I was struggling because it appears there is blacktop, and one set of wheels of a truck on grass.

Ked: unapproved as there was no 4' setback.

Moermond: and missing vital parts?

Kedrowski: that is general language. There was a red tag hanging in one of the

vehicles indicating it may be a business, which is a zoning issue. I don't remember missing plates. They did appear to be operational. There was also a call from a gentleman at the property and he did explain that he did have an auto business. Vehicles at the property need to be registered to the property.

Murphy: I was confused when I received the letter. There's no business done on the property. The red tag is from the dealership when he got a diagnostic test. Is it illegal for me to park on the property?

Moermond: no, it isn't illegal to park on the property. I'm trying to diagnose what the issue is here. Part is moving the one vehicle over. The rest has to do with storage for sales.

Murphy: one did have dealer plates and is licensed and registered in Wisconsin.

Moermond: where I was going was even if the transaction takes place elsewhere, if they're staged there—

Murphy: it is family who come and visit, they have a business in Wisconsin and do have dealer plates on some of their cars.

Moermond: in this case, the concern wasn't repair but rather the space being used as part of a business operation. There were a couple triggers which caused issues, which I'm not surprised because there are some earmarks of that.

How long would your family stay when the visit? Obviously overnight or weekend.

Murphy: they have 3 kids, sometimes they stay for weeks. They use dealer plates as well.

Kedrowski: there are multiple complaints going back years,

Moermond: you bought in 2023?

Murphy: yes.

Moermond: I wonder if the old neighbor allowed the property next door to use as overflow. Because that one next door I looked at and said "wow".

Kedrowski: I don't ever see a site plan with the City, so it could be no one was aware of the 4-foot setback.

Moermond: we aren't going there; they aren't in your orders. I see a strip of grass. Part of your stuff I can deal with is the part having to do with the vehicles themselves, can they be there, the location. There's also licensing for businesses and zoning which says whether a property can be used for a specific purpose. I can't deal with that either. That needs to be pursued separately. What I'm looking at then is where the one vehicle is parked, I'm going with the dealer plate situation, I'm not hearing expired tabs and what you are saying is reasonable. Could this be examined further by licensing or zoning? It could. I don't think the codes I have allow me to look more deeply at that. January 22 we'll put it in front of Council, and the one piece left hanging is moving the vehicle so it is parked appropriately.

Is there a business name for the business?

Murphy: yes, I have

Moermond: Wilson's auto group, LLC. 101 Skyline Dr #1 W289 Arlington Wisconsin 53911.

Referred to the City Council due back on 1/22/2025

1:00 p.m. Hearings

Vacant Building Registrations

- 22 RLH VBR** Appeal of Shawn Punjwani, Embassy Thomas LLC, to a Vacant Building
24-73 Registration Notice at 1333 THOMAS AVENUE.

Sponsors: Jalali

Waive VB fee for 90 days (to March 1, 2025) and allow permits to be pulled.

Shawn Punjwani, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Mitch Imbertson: 1925 square foot mercantile occupancy, last used as a convenience store. Started in October 2024 as a referral for broken door glass. Issued orders for 3 items, including disconnected electrical. That wasn't restored by the initial deadline and resulted in condemnation. It is currently a Category 1 Vacant Building, which requires a Fire inspection to be recertified. We did confirm the utilities are now restored.

Staff report by Supervisor Matt Dornfeld: we opened a Category 1 Vacant Building on November 22, 2024 per that referral. We currently see it is vacant, secure, and maintained.

Punjwani: we had a tenant that was difficult to get out. I didn't receive rent since February 2024. I found out about this December 1. We ordered a dumpster, took everything out, all the expired merchandise. I restored the electrical which cost over \$7,000. We restored HVAC. We fixed the door right away. We changed the locks, so it is fully in our possession. Extension cords are removed. We're going to remove all the shelves and cooler. We have a potential tenant. Those 3 items have been taken care of as of the first week of December. I'd like everyone to consider as the landlord we aren't the bad people, we got in a bad situation. We take full responsibility as we are the landlord. I'd like a consideration of removal of this hefty penalty.

Again, we restored the electric. I think it is going to be very nice. We fixed the parking lot and spent \$12,000 to redo it. That's been done. I was in a situation where if I would have gone to court it would have dragged out even longer. On December 5 I did contact Mitch Imbertson and left a message, 2:34 p.m. asking to see if I could meet up with you. Maybe with the holidays it was missed. I called 651-266-8986. Then I spoke to Rick Gavin, he recommended me to call and appeal. I tried to do my due diligence. I'm here and want to make it right. It was just a bad thing and I couldn't get the tenant out. We've taken a lot of losses.

Moermond: when will you have it ready to be reoccupied or recertified?

Punjwani: we'd like one as soon as possible. We have an architect doing the drawing. It will be a small deli. We will go through permitting and licensing. We'd like the plans approved as soon as possible so we can move forward. We are ready to get it going.

Imbertson: depending on whether it is viewed as a restaurant, if it is going to be a change of occupancy then the recertification comes from the building department under the permit for the new use. The particulars of your plan may change what we do for inspections. We can't certify it as it sits if there's a change in use.

Punjwani: I agree. Our architect is familiar with all the codes.

Imbertson: normally we'd say there's no rush to obtain a Certificate of Occupancy until it was ready to be occupied. Our typical advice would be to let the process run its course, and once you're ready to have permits inspected, we'd coordinate with the building inspector whether we needed to be there for final inspection.

I'm not sure how that would work with the Vacant Building appeal though because I understand that you're wanting to get it certified as soon as possible to get it off the Vacant Building list, but again while it is vacant you don't necessarily need a Certificate. It may add steps to rush to get it recertified as a mercantile if you have no intent of actually using it that way.

Moermond: I think where you are coming from is you have it condemned, there are 3 items. You're thinking, "if I do these 3 items it is no longer condemned." What he is thinking is that he can't give you your Fire Certificate of Occupancy back again until it is set up for whatever it will be used for. It won't be a mercantile anymore, it is going to be a deli. When those plans are ready to submit, then they'll know how to inspect it because it isn't clear right now. I think you want to hold off until you have an answer on what the to-do list is. You're also concerned about the Vacant Building fee.

Punjwani: that, and I want to make sure to do everything right. I don't want to get in trouble that we weren't taking any action. We obviously want it occupied. Why reinvent the wheel when we are going to have to through a certain process? As long as we have on the record we have done what we had to do to go through the process. Meanwhile, we'll go through the City to get permits for other stuff. We just wanted on the record we aren't sitting here not doing anything. That would look bad on us. I want to make sure the City permit department sees we did everything the Fire inspector required. Obviously, you can't just leave the building with no heat and stuff. Meanwhile, I'd like the consideration to remove the citation.

Moermond: when was the electric restored?

Punjwani: on or about December 5th. Maybe even sooner. I became aware the first week of December and immediately we acted. The glass was broken, we fixed the door and put in new glass. We changed the locks to avoid them coming back again. Since it has been in our possession we can get the police to help.

Moermond: sounds like things are moved on fairly quickly for you. I think if we do a 90-day waiver, to March 1, there's no fee. If you don't, then we'll let this go to assessment and we can talk then about how much we can reduce it based on how quickly you can get it reoccupied.

Referred to the City Council due back on 1/22/2025

23 RLH VBR 25-2 Appeal of Chang Hua Wang to a Vacant Building Registration Requirement at 1484 CHARLES AVENUE.

Sponsors: Jalali

Deny the appeal. Property to remain a Cat 2 VB and require CCI.

*Chang Hua Wang, owner, appeared
Mandarin Interpreter appeared*

*Moermond: we're here to discuss appeals for both 1484 Charles and 1649 Edmund.
[Moermond gives background of appeals process]*

Staff report by Supervisor Leanna Shaff: 11/6/24 we received a complaint of excessive storage and a gross unsanitary. Due to the excessive number of complaints we decided to schedule an early Fire Certificate of Occupancy. November 14 Inspector Vue was accompanied by the property owner, police, Fire Safety manager and the Deputy Director. They found excessive clutter throughout the property, water damage, illegal locks on a sleeping room, inoperable and lack of smoke and carbon monoxide alarms. Also, way too many people living there. It was condemned for immediate vacate. Police provided transportation for the individuals on the lease, which were 2 adults and 2 minors. 3 individuals who were still there were asked to leave. Others ran away. The property owner attempted to board the property but it was insufficient and we had to call in a contractor to board the building. We referred the building over to our Vacant Building program. Lots of photos in the file, I think the record speaks for itself.

Staff report by Supervisor Matt Dornfeld: we opened a Category 2 Vacant Building per the Fire Inspection condemnation and referral on November 15, 2024. There were and have been garbage issues that we issued Summary Abatement Order and work orders to clean up.

Hua Wang: the garbage was already cleaned up.

Dornfeld: that is incorrect.

Moermond: orders sent November 21, when you went back it wasn't done, so you sent a work order.

Dornfeld: that is correct. I have been by on numerous occasions and there are chronic problems with homeless people, or former tenants, on the property and in the alley.

Moermond: as an aside, there are numerous assessments on the property both for garbage cleanup and securing the building when it is open to entry. Why are you appealing today?

Hua Wang: I really hope to not have the property classified as Category 2 Vacant Building because once it is labeled like that it is a lot of trouble to bounce back. We want to clean up and find new tenants. Once someone is living there the situation will be so much better. I had bad luck with this group of tenants. In the previous years I had responsible tenants, these tenants moved in less than a year ago and sometimes my husband was present at the property and they refused to let him in and do any repairs or cleanup. They weren't cooperative tenants.

Moermond: did you pursue eviction of these tenants?

Hua Wang: yes, when too many neighbors were complaining we gave them a piece of paper for eviction.

Moermond: did you work with a lawyer? Or was it simply a statement saying if you don't leave I'll pursue formal proceedings?

Hua Wang: I didn't use a lawyer, but I used a form from room 170.

Moermond: when was this?

Hua Wang: November.

Moermond: it sounds like the police were there November 14 and there was a lot going on. Was it before or after that?

Hua Wang: the same day.

Moermond: for the record I have a police call log for calls to the property and from January 1 to 2024 to present there have been 55 visits by the St. Paul Police Department to the property. About 15 were proactive visits by the police. The rest were disturbances, disorderly conduct, assaults, those kinds of things.

Hua Wang: we weren't informed before November of any issues.

Moermond: you would need to be on top of that, there is no requirement someone call you. That is an extraordinary level for a single-family home.

Hua Wang: it is costly to pay all the fines. All of these are seldom caused by the landlord because the tenants were misbehaving and refusing to cooperate. We shouldn't be penalized.

Moermond: you are the owner and Responsible Party for the property whether or not you live there. It is your job to make sure this is an okay neighbor.

Hua Wang: we didn't interview them and sign the lease, but there was an organization, MN Care Council, placed them in my property. It wasn't Section 8. The staff just put someone in my property and didn't do a good job screening them.

Moermond: you giving someone decision-making over your property is a private matter. It doesn't involve the City. The City is going to say there are already these significant Code violations. It is a huge problem property. I get there is money involved but let me tell you. It is an average of \$175—and its higher than that now—for each police visit, per 55 calls in a year. Bare minimum the City has already spent \$9,600 simply deploying the police. That doesn't count other inspectors visiting. I get it will cost you money to fix, but it has already cost the St. Paul taxpayers a lot of money and we aren't getting that back either.

Hua Wang: after all this, 50 some times, I wasn't in the loop of communication. What does that mean?

Moermond: you are responsible for who you put in the property, the costs incurred, you delegated that to the tenants which obviously didn't work. The City is going to deal with what it has to when the police are there. They aren't going to call you and tell you your tenants are behaving badly. You are responsible, not this other agency, and ultimately

not the tenants.

Any other comments before I make my recommendation?

Hua Wang: I have other tenants in other properties and they were reasonable. They came from the same agency.

Moermond: I'm giving you a list of pending assessments for this property. There's a lot of money there. Those have to do with cleanups, when the City has boarded the property when it was open to entry. I wanted you to be aware that was something you'll be getting mail on and is appealable in the future.

For today's matter, whether it should be a Vacant Building, I'm going to recommend the City Council deny your appeal and it that it should remain in the Vacant Building program as a Category 2 Vacant Building.

Hua Wang: you said this wasn't habitable, however the fire hazard is already removed. It is cleaned up.

Moermond: then there will be short orders written by the trade inspectors. It will require that to be completed before it can be reoccupied. It sounds like the Fire Inspector wrote a few things from a glance around, while your tenants were being arrested and a lot of other things were going on, not a full fire inspection.

Shaff: to add, lots of holes in the walls, missing tiles, so much—mind you, when I was there it was after the property owner attempted to board it, so we had to go back. There were multiple people in the property. There were piles and piles of clothing and soft goods. Could barely walk through. I was told to be careful because there was drug paraphernalia underneath. Needles. Garbage everywhere. The walls and what you could see of the floors were filthy.

Moermond: so, it is possible there wouldn't be other violations if the floor was cleaned and holes patched, but we want that confirmed. I certainly need that. We haven't come this far to let this slip through the cracks. I'll recommend the Council deny your appeal.

Referred to the City Council due back on 1/22/2025

24 RLH VBR 25-1

Appeal of Chang Hua Wang to a Vacant Building Registration Requirement at 1649 EDMUND AVENUE.

Sponsors: Jalali

Deny the appeal. Property to remain a Cat 2 VB and require CCI.

Chang Hua Wang, owner, appeared

Mandarin Interpreter appeared

[Moermond gave background of appeal process in other appeal]

Staff report by Supervisor Leanna Shaff: November 18, 2024 we received a complaint of the garage door being opened and people living in tents in the garage. An exterior inspection showed the garage door was partially closed. The inspector heard voices coming from inside. There was trash all over the property, overflowing trash cans. December 5, 2024 Due to multiple complaints received included people living in

garage, squatters in the property and police responses, Supervisor Vue issued access orders for an inspection on December 6. On December 6 an attempted inspection was made, accompanied by police. property owner failed to show. They waited 15 minutes, no success. Voicemail and email to property owner for second short orders on inspection. December 11 they arrived with the St. Paul Police Department, a few occupants leaving the property as they arrived and after identifying themselves occupants went back into the house. A few minutes later the occupants were seen leaving the rear of the property, and additional occupants left through the front. The property owner again failed to show up. An attempt to reach the property owner was unsuccessful. Ten individuals left the property within 20 minutes of their arrival. One individual stated there were at least 5 additional people in the home. Another person stated she was paying a lodging fee to the person renting, on the lease, but that person no longer lived at the property. Multiple broken windows throughout the property. Refuse and debris in the rear. Extension cord visible from the second story window into the detached garage. No access made into the property. After several failed attempts to reach the property owner revocation placards were posted on the front and rear door due to failure to comply with orders and allowing access. All the deficiencies noted were transferred to the Fire Certificate of Occupancy for revocation and referred to the Vacant Building program.

Staff report by Supervisor Matt Dornfeld: this is similar to the last one. Opened a Category 2 Vacant Building on December 11, 2024 per fire inspection condemnation and referral. This has been chronically broken into. Numerous police calls. There is currently trash all over the back yard that has been there for 2 weeks. As of 11 am today, I shooed away 3 homeless people high on narcotics from the rear of the property.

Moermond: we don't have a log of police calls yet, because they haven't sent them. We can send them to you when we get them. We do have a list of pending assessments for the property, just like the other one. We're printing that for you. You are appealing this as a Vacant Building, tell me more about the situation and what you're looking for.

Wang: [crying] after all this talking I will be responsibility for the tenants not being responsible. But I am being penalized. Because if I involve the City to help me, ask them to shape up, I worry you would condemn the property. I was so alone and needed help but didn't receive any. I didn't even get informed of what was going on. I feel very vulnerable. Those people who took advantage of the property were homeless, they weren't even on the lease. Why the homeless situation is my responsibility when they got into my place? One time my husband found out some homeless people invaded the property after the tenant moved out, the police came and said since they occupied it for over 14 days they couldn't kick them out. Those weren't our tenants so I didn't know what I should be doing besides being fined.

Moermond: was that before December 13?

Wang: probably November.

Moermond: once it is in the Vacant Building program the police will work with Mr. Dornfeld and his team to get them out and have it resecured. Sounds like that's happened multiple times, Mr. Dornfeld?

Dornfeld: that is correct.

Moermond: they will take some measure to make sure it isn't open to entry when they

leave. I can only assume because I see two properties today, I you own multiple properties in the area. It sounds like you'd benefit from working with a management company.

Wang: in the past I haven't. Lately I haven't.

Moermond: my position is the same on this property that it should remain in the registered Vacant Building program as a Category 2.

Referred to the City Council due back on 1/22/2025

25 RLH VBR 25-3 Appeal of Zach Kirchoff, Ireland Homes, to a Vacant Building Registration Renewal Notice at 1650 SHERBURNE AVENUE.

Sponsors: Jalali

Waive the VB fee for 90 days (to April 4, 2025).

Zach Kirchoff, Ireland Homes, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Matt Dornfeld: was made a Vacant Building January 4, 2023. July 19, 2024 our sale review dept approved a sale to the appellant. Rehab is ongoing. Property has been maintained, no nuisance complaints.

Moermond: your appeal says it is being renovated. I need the Code Compliance certificate issued before reoccupancy. Will you be done in 3 months?

Kirchoff: that's going to depend on you. We finished our plumbing November 4, and our final isn't until tomorrow. Over 60 days. Once we get them finalized and we can pull the building permit. I would have liked this done a couple weeks ago. We've been battling City timelines. Waiting 2 months to get something finally inspected you'd give us the same generosity regarding the project.

Moermond: I will give a recommendation for a 90-day waiver. If you are done by April 4 there will be no fee forthcoming. If you aren't done let it roll to assessment and we can have a conversation about prorating it.

Referred to the City Council due back on 1/22/2025

26 [RLH VBR 25-4](#) Appeal of Ozzy Zachran, O.I.G. Holdings, to a Vacant Building Registration Notice at 383 TORONTO STREET.

Sponsors: Noecker

Layover to LH February 18, 2025 at 1 pm for further discussion after full Fire C of O inspection; waive VB fee for 90 days to March 4, 2025.

Ozzy Zachran, owner, appeared via phone

Staff report by Supervisor Leanna Shaff: this attempted fire Certificate of Occupancy inspection of a single-family home. We have never been able to get in. July 24, 2024 inspector attempted to inspect, tenant wasn't aware, property owner said he didn't get notice. Inspector verified address and set a new date. August 20 onsite again, no show

by property owner. Inspector called property owner and they advised they didn't have access to the property and were in process of eviction. As you know we hear people are evicting all the time, but it doesn't mean a lot without proof. September 19 again attempted inspection. He had to call the property owner and left a Voicemail about access. October 21 again onsite, called property owner again who told him tenant wasn't allowing anyone inside and had released dogs. Inspector Harriel went to his Supervisor about revocation. November 20 again spoke to property owner and advised they are still evicting and unable to comply. We revoked the Certificate of Occupancy for failure to comply with requirements and allow inspection. He was told this was a sober home and was raided by the FBI August 1. I was not a registered sober house in the City of St. Paul.

Staff report by Supervisor Matt Dornfeld: we opened a Category 1 Vacant Building on December 2, 2024 per that referral. Notes state property owner had to go through lengthy eviction process. As of New Years Eve we have vacant, secure, and maintained.

Zachran: they have it as accurate as they can. The inspector and I both had lengthy conversations about this property. We rented to evergreen recovery and it was their responsibility to register it as a sober home. They told us St. Paul's rule was if they had less than six unrelated people it doesn't need to be classified. I provided documentation to inspector when asked about the eviction. We do have a court order right now. We have a writ of recovery on it. I told the inspector knowing what we know about those tenants and their violence I'm not willing to force entry to check some smoke detectors and to hold off until it is safe. We have plenty of rentals so are aware of the process, he told me he'd send it to Vacant Building and to appeal it.

Shaff: I hear the appellant has additional properties in St. Paul and is aware of the Fire Certificate of Occupancy program, in light of that it was not ever green recovery's responsibility to take care of the property. That's a civil agreement. The property owner is still responsible how its being run and paid.

Moermond: the six unrelated adults?

Shaff: federal law states that Cities can't use zoning, six unrelated adults, to discriminate against people with disabilities. People in recovery are considered disabled under federal fair housing. It does go on to say cities can require an application for reasonable accommodation so we can make sure these places are meeting requirements. That's anything over six unrelated adults. Evergreen has done this repeatedly, put 5 or 6 people in.

Moermond: would your expectation be to have a sober housing application if there are more than six?

Shaff: yes.

Moermond: and under six?

Shaff: just a regular rental as far as we're concerned.

Zachran: we have a writ of recovery right before the holidays. My attorney received it Monday. The Ramsey County sheriff should have that. It looks like after Evergreen was shut down; many others started bringing friends. I guess they found 10 individuals living there, the writ is to kick out 9 of them. That should be executed in the next day

or 2. There is one gentleman who brought an attorney and fought the validity of the eviction and so there is one gentleman allowed to be there until the end of January. There's an automatic writ of recovery on him February 1 if he's not out.

Moermond: it seems like we need to get a fire inspector in there to make a decision. Let's continue this to February 18th. Between now and then work with Fire Inspections to get it inspected before then so we have an idea of conditions. Then we can figure out a path forward.

Laid Over to the Legislative Hearings due back on 2/18/2025

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 27 **RLH VO 24-4** Appeal of Raj Mehta to a Correction Notice-Complaint Inspection (which includes condemnation) at 220 ROBERT STREET SOUTH. (Refer to January 7, 2025 Legislative Hearing)

Sponsors: Noecker

Grant the appeal as conditions outlined in prior resolution were met.

Raj Mehta, owner, appeared

Moermond: we're going back in time to see how things have been going. This is our check up. Any concerns from the police or fire Mr. Imbertson?

Imbertson: no new concerns that I am aware of. We didn't pull a full report of police calls before today, but we haven't heard anything from police nor new complaints regarding events or illegal occupancy we were previously dealing with. We also don't have any approval yet for assembly use yet. There's a building permit under review.

Mehta: I pulled the permit for assembly use, but it is an office building, so two months ago a tenant has filed a different permit for child care. Everything is going ok right now.

Moermond: we had this appeal on the condemnation and it was granted conditionally and if everything was going fine today it would be granted outright with no conditions. So, we will put a resolution together to go in front of Council confirming that.

Referred to the City Council due back on 1/22/2025

- 28 [RLH VO 24-33](#) Appeal of Jerry A. Brashier to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 511 MINNEHAHA AVENUE EAST. (Refer to January 7, 2025 Legislative Hearing)

Sponsors: Noecker

Layover to LH January 21, 2025 at 1:30 p.m. for further discussion after review of engineering analysis by City engineer.

Jerry Brashier, owner, appeared via phone

Moermond: we are calling about the report you sent in. What I'm looking for is not

something I found in the report which was whether or not repairs were needed to maintain safety. Based on the title report it doesn't sound like an analysis was done. I find it kind of flimsy, wishy-washy, a lot of "in my opinion." We're going to have the City's structural engineer look at it. We'll push this conversation to January 21 at which point we can put together the list and if the list is same or modified based on that.

Laid Over to the Legislative Hearings due back on 1/21/2025

2:00 p.m. Hearings

Fire Certificates of Occupancy

- 29 [RLH FCO 25-1](#) Appeal of Casandra and Patrick Bradley to a Correction Notice-Complaint Inspection at 365 BATES AVENUE.

Sponsors: Johnson

Layover to LH February 4, 2025 at 2 pm for further discussion.

*Patrick Bradley, owner, appeared via phone
Cassandra Bradley, owner, appeared via phone*

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: November 25, 2024 we received a referral, saying water heater wasn't put in to code, sink installed, pipes along outer wall. Front door frame has damage, holes in soffits squirrels are going in. Inspector Tschida inspected December 3, 2024 and found a few things. Biggest of which was the water heater. It is not good. Installed without permit in 2022. Its back drafting and you can see the damage it is causing on the water heater. There is a permit pulled but without it being finalized and inspected it doesn't mean the work was done. We have received documents for the rodent abatement. Can see daylight around the door frame.

Moermond: so, the big issue is the water heater. Openings in the fascia and front door frame lesser so.

Shaff: the biggest problem is with a back drafting water heater carbon monoxide can build up.

Cassandra Bradley: the water heater back drafting was repaired in June. We'd been having issues with our chimney. We had to have chimney specialists go in, and that is why it was back drafting. We have those repairs and receipts attached to the appeal. The water heater was never cleaned because we don't live locally; we've tried to get a company go clean it but no one will, which is weird. That is resolved. I spoke with Scott about that and he was relieved to hear that. For the water heater we spoke and explained it was the old owners who installed in. We got the work done and inspector just has to go back out. It was less than a 24-hour turnaround once I learned about the back drafting. That was MSP back in June. It was all fixed immediately because I knew about the carbon monoxide potential.

Moermond: the photos attached are from December. There was a concern by the inspector there is still a backdraft issue. Am I stating that right?

Shaff: looking at the photos it shows me it was. I can't tell if it is doing right today or whatever. The 29 pages of documents attached to the appeal they did a vent liner and

some other things which, quite frankly, probably should have been done under permit also, but I don't know it addressed the issue of the back drafting at all.

Moermond: so, we have a permit pulled in December to repair the water heater. The City was looking for the contractor to call for an inspection. That may resolve that entirely, then the inspector can sign off or not and everyone is on the same page.

Patrick Bradley: last I heard was the work was done on January 3, and last I heard they were going to call about an inspection but I didn't hear back on when, since we have to notify our tenants. That was AJ Alberts Plumbing.

Cassandra Bradley: do you have record of if they called in, or we need to remind them?
Shaff: no, no notes. That's a plumbing inspector, Paul Zellmer.

Moermond: have you paid yet for the work?

Cassandra Bradley: yes.

Moermond: did you include that receipt in your attachments? I may have missed it.

Patrick Bradley: no, it wasn't because the appeal was filed early December. We just made the payment to the plumber next week. I do have a copy of that invoice. I can send that to you.

Moermond: that gives me confirmation you had a licensed contractor out. Then if they can call for a plumbing inspector to come out that would be perfect. Then we'd get confirmation on that work having been done.

Shaff: there may be issues when that plumbing inspector comes because I see they were invoiced for a smartflex liner for the chimney to serve the water heater and furnace, there was no permit for that.

Moermond: they may ask for that?

Shaff: and a double fee?

Moermond: perhaps, based on my conversation. They could tell you that you need to go backwards in time to have that permit pulled, it shouldn't be a big deal. Then it can be inspected also. But let's get the plumbing inspector in to assess, and if you could get the receipt to me we can get that in the record to show the work to be done. Call your contractor right away to get that plumbing inspection scheduled. They are really short staffed, that's why I'm asking for the receipt. So, I have some documentation you're moving on this to help mitigates my concerns.

Cassandra Bradley: that's fair.

Shaff: I see the receipt for the critters, but if the holes aren't repaired they are coming back.

Moermond: understood, we were prioritizing the water heater and haven't talked about the other ones. Certainly, you can't patch the holes until the critters are out. Have you had the pest control out? What's that status?

Patrick Bradley: they came out and did the inspection to get a quote. We didn't have a date yet, because we wanted a guarantee they would patch the hole at the end of their

service after they caught the pests. We've paid for the inspection and signed the contract. We just need to schedule and get it done. They do a 7-day pest removal and patch the hole with a permanent fix at the end of 7 days.

Moermond: any talk of timeline?

Patrick Bradley: it's on us, the biggest reason in finances. We submitted the appeal because we can't afford to do all these fixes now over the holidays. We know they're big issues but we simply couldn't afford it. We've had many City inspections the last few years we've owned the house. We hadn't fixed them due to costs. We should fix the pest problem in the next two to three weeks after finances recover after the holiday.

Moermond: sure, that's why I was walking. Sounds like the trades work has been paid for. Now you have the exterminator and the front door framing. Both basement door and front door.

Patrick Bradley: I'm pretty sure the basement door is fixed, so it is just the front door now. They charged us for it, the property management company.

Moermond: you're going to reach out quickly to your contractor to call for that inspection. The back door is being addressed, but an inspector will verify. The pest control is being taken care of. I'd like to continue the hearing and give a chance for the plumbing inspector to go check things out. I will condition that upon you folks sending in the receipt for the plumbing work. You might as well send in your pest control contract too. Then we can figure out a schedule for other things later.

Laid Over to the Legislative Hearings due back on 2/4/2025