

Vang, Mai (CI-StPaul)

From: Moermond, Marcia (CI-StPaul)
Sent: Wednesday, November 13, 2013 6:33 PM
To: tamara.washington@usbank.com
Cc: antoinette.kvamme@usbank.com; Lantry, Kathy (CI-StPaul); Magner, Steve (CI-StPaul); Ubl, Stephen (CI-StPaul)
Subject: RE: Order to remove or repair: 1281 Third Street East
Attachments: 1281 3rd St E RR Ltr 10-28-13.doc

Tamara,

Please understand that the owner of the property received notification a code compliance inspection was required on January 26, 2012. U.S. Bank was mailed an order to abate a nuisance building on March 4, 2013. That notification was explicit in its requirement that a code compliance inspection be conducted. At the legislative and City Council hearings, where U.S. Bank was represented by legal counsel, this expectation was reiterated.

I asked the City Council to continue the matter, to allow for the development of plans, if the following conditions could be met: 1) obtain a Code Compliance Inspection; 2) Court order to shorten the redemption period; and 3) post the \$5,000 performance deposit. None of these conditions were met. Your counsel was explicit in his statement that U.S. Bank would take no action on the property until the redemption time period was complete – as this is your policy. The inaction extended to not mowing the lawn, ordering a code compliance or posting a performance deposit. I was plain with the Council that taking these steps with a property was consistent with mortgage agreements and numerous financial institutions did these things eliminate the nuisance conditions introduced to the neighborhood by their property.

The Council deviated from the recommendation and granted 3 weeks for the U.S. Bank to make some demonstration of intent to take action, albeit this was not the length of time requested by your counsel. Your attorney did not show for subsequent hearings on the matter, hence the Council's decision to order the building removed. This link provides the City record of these proceedings: <https://stpaul.legistar.com/LegislationDetail.aspx?ID=1449751&GUID=A67DBEA9-40EF-4ECD-8713-7A839DD713A0>

You contacted me a few weeks ago and asked if this could be reconsidered, as the building had not yet been demolished. I asked the Council President Lantry, who represents this area if she would be willing to re-examine this case if the basic conditions were met. She indicated she would be and I scheduled this for a legislative hearing. In our phone conversation, I was clear that I understood not all of the conditions needed to be met at the time of the hearing. However, it was necessary to begin the conversation as soon as possible. You notified my office late last Friday afternoon that you would not be attending the Tuesday hearing because not all of the items in the letter had been addressed. As Monday was a holiday, there was no opportunity to discuss this matter with you prior to my hearing.

When we discussed the matter by phone on Tuesday, I reiterated a point we had covered in earlier conversation. Namely, a work plan could be developed in the absence of a code compliance inspection report and later amended to account for differences between the two. This has been the City's practice for quite a while and many owners have done this with no problems.

I learned recently that the code compliance inspection report is taking a while. (However, as mentioned earlier, U.S. Bank received its original notification of this requirement March 4 of this year.) So this afternoon I discussed the matter with Steve Ubl, the City's Building Official to see if the matter could be expedited. He will be doing so. I can't help but think this matter could have been discussed in the Tuesday hearing.

In reviewing the City's interaction with U.S. Bank during the course of the year, I see only City actions to accommodate the bank's concerns. I have not seen concrete steps on the part of the bank to address this nuisance building, which has been disappointing. However, I am hopeful this house may be rehabilitated. I am rescheduling our hearing to December 10, 2013 at 9 a.m. At this time, I anticipate conditions required for a grant of time for the building's rehabilitation will be met and we can discuss next steps. If U.S. Bank will not be pursuing the rehabilitation of 1281 3rd Street, the City requests that you pursue demolition prior to mid-January 2014. I look forward to seeing you on the 10th and hope we may be able to put this matter to rest.

Sincerely,

Marcia Moermond,
Legislative Hearing Officer
Saint Paul City Council

651-266-8570

From: tamara.washington@usbank.com [mailto:tamara.washington@usbank.com]
Sent: Wednesday, November 13, 2013 11:21 AM
To: Moermond, Marcia (CI-StPaul)
Cc: antoinette.kvamme@usbank.com
Subject: Fw: Order to remove or repair: 1281 Third Street East

Good Morning Marcia,

After we spoke yesterday, I called Steve Wagner, to get an update on the progress of the code compliance report. Steve forwarded my call to Reed Soley. I spoke to Reed this morning and he provide the following update on the report.

Per Reed, Jim Seeger has been to the property and completed his portion of the inspection process but the three remaining inspectors have not yet inspected the property. Per Reed, this process takes a minimum of 30 days. I was also informed that the process would not be expedited so we should not expect the completed report until after the 1st of December. I am out of the office that first week of December, returning December 9th.

Please keep this timeline in mind when rescheduling the hearing date.

Thank you for your help and please let me know if you need any thing further at this time.

Tammy Washington
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----- Forwarded by Tamara A Washington/MN/USB on 11/13/2013 11:18 AM -----

From: Tamara A Washington/MN/USB
To: "Moermond, Marcia (CI-StPaul)" <marcia.moermond@ci.stpaul.mn.us>,
Cc: Mai.vang@ci.stpaul.mn.us
Date: 11/08/2013 03:46 PM
Subject: Order to remove or repair: 1281 Third Street East

Hi Marcia,

I tried contacting you today regarding the hearing scheduled for Tuesday Morning. I spoke to Mai with our concerns. The code compliance we ordered the end of October, with out that report we are at a stand still to get most of the other items. We also can not construct an informed plan to present to the city. I was calling to extend the hearing date out a couple of weeks to collect all the information for our plan.

Although, we look forward to working with the city to resolve this issue, without the information to provide the city with a cohesive plan, we will not be able to attend. Due to Monday being a holiday, this may seem like short notice and I am sorry. Hopefully you are able to get this in time.

I apologize for the inconvenience, but we will need to reschedule. Please call me to discuss a reschedule date.

Thank you and again,

Tammy Washington
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LSBO & REO Sales MN
EP-MN-HMB2
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U.S. BANCORP made the following annotations

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