



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, May 24, 2022

9:00 AM

Room 330 City Hall & Court House or Remote

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 22-19](#) Ordering the rehabilitation or razing and removal of the structures at 694 SHERBURNE AVENUE within fifteen (15) days after the May 25, 2022, City Council Public Hearing. (To refer to June 14, 2022 Legislative Hearing)

Sponsors: Thao

Refer back to LH June 14, 2022 at 9 am for update on reestablishing duplex zoning.

Tried calling number and it was wrong.

Moermond: let's lay this over for three weeks and if you could reach out and talk to Mr. Lee about what is still needed and explain about the signatures on the petition. Maybe Joanna can look and see if we have any phone numbers in stamp. Let's have it at 10 am on June 14th.

Referred to the City Council due back on 6/8/2022

- 2 [RLH RR 21-60](#) Ordering the rehabilitation or razing and removal of the structures at 1941 UNIVERSITY AVENUE WEST (STORAGE/GARAGE) within fifteen (15) days after the September 22, 2021, City Council Public Hearing.

Sponsors: Jalali

Layover to LH June 14, 2022 at 9 am. Property reps to submit work plan/sworn construction statement including full engineering analysis.

Voicemail left for Dawit Solomon at 11:12 am: This is Marcia Moermond from St. Paul City Council calling you about 1941 University Avenue. We will try you back in a little bit.

Voicemail for Dawit Solomon at 11:54 am: this is Marcia Moermond from St. Paul City Council calling you again. I had a chance to review the engineering report it is pretty lightweight. It looks like the engineer just stopped by and looked at it and said that any building or construction plan you do is going to require an engineering analysis. We

were actually looking for that engineering analysis, and that needs to be included in any sworn construction statement or scope of work you bring forward. I'm sure you're working with Ms. Klinkhammer on that. We'll talk again June 14 and I want to see the work plan and proper engineering report attached to that.

Laid Over to the Legislative Hearings due back on 6/14/2022

- 3 RLH RR 22-28** Ordering the rehabilitation or razing and removal of the structures at 733 FAIRVIEW AVENUE NORTH within fifteen (15) days after the June 22, 2022, City Council Public Hearing.

Sponsors: Jalali

If PD is posted by COB June 20, 2022 refer the matter back to LH July 26, 2022 at 9 am. Property must continue to be maintained.

Stamate Skliris, owner, appeared

[Moermond gives background of appeals process and requirements of rehabbing a Category 3 Vacant Building]

Staff report by Supervisor Joe Yannarely: the building is a two-story, wood frame, single-family dwelling on a lot of 3,049 square feet. According to our files, it has been a vacant building since September 4, 2014. The current property owner is Stamate Skliris, per Amanda and Ramsey County Property records. On January 6, 2022, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An order to abate a nuisance building was posted on January 24, 2022, with a compliance date of February 23, 2022. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$32,000 on the land and \$149,300 on the building. Real estate taxes for 2019 and 2021 are delinquent in the amount of \$13,500.85, which includes penalty and interest. Taxes for the first half of 2022 are due and owing in the amount of \$2,770.00. This property is scheduled for forfeiture July 31, 2023. The vacant building registration fees were paid by assessment on September 30, 2021. A Code Compliance Inspection was done on July 2, 2021. As of May 23, 2022, the \$5,000 performance deposit has not been posted. There have been seven Summary Abatement notices since 2014. There was one work order issued for tall grass and weeds. Code Enforcement Officers estimate the cost to repair this structure exceeds \$40,000. The estimated cost to demolish exceeds \$25,000.

Moermond: what precipitated entrance into the program?

Yannarely: Fire Certificate of Occupancy was revoked, open to trespass and it was for sale. Other exterior property maintenance issues.

Moermond: where are you at with this? have you been the owner the whole time

Skliris: no, I have not. My situation is a bit of an anomaly. I'm the homeowner, my intention is to reside there. I purchased the home and was working 20 hours away by car as a State Attorney so being remote was difficult. I have been working and repairing it. I've put more than 200k into the home. All 3 floors are tiled and have drains in the bathroom. Since the last inspection, I'm wholly local. It doesn't pay as well but I'm now close to home. I'm about 85% done. I'm one of those cases where I'd like to tell you I shouldn't be an issue. The only concern I have is if we could revisit this again

and waive the Performance Deposit because of the income I garner from Sibley county. It is one of the lowest paying counties in Minnesota. It is coming along and now that I'm local I anticipate being done in 90 days.

Moermond: are there any permits pulled Mr. Yannarely?

Yannarely: I see a permit from plumbing in 2017 and electrical from 2016 finalized. I don't see anything new.

Moermond: ok. Do you own the property outright?

Skliris: yes. On November 15 I came down with the objective to renew my permits. Two ladies, Linda and Serene were at the front desk. I said I wanted to renew my permits. She told me to call the inspector, I left a message and didn't get a call back. That was my intention that day. She said not to renew since I was so far along.

Moermond: I don't know what she said, but it is kind of water under the bridge. But you needed permits based on this current Code Compliance Inspection Report. You'd need fresh permits no matter what. I can tell you this is a fresh list that need fresh permits. We are in the same place regardless. The Code Compliance was done July 2, 2021 so that is done. The \$5,000 Performance Deposit is not waivable. I need a work plan, a scope of work, a plan of how you are tackling where you are now to getting your Code Compliance certificate. That requires contract for plumbing and HVAC. You can likely do your own electric. You'll need a building permit. I need to have a document that shows me you know how to approach this beginning to end and have people lined up to do the work. that also involves having the finances lined up to do the work. the other problematic piece is the taxes are due and owing since 2019 and you're scheduled to forfeit in a year for nonpayment of taxes. You can deal with that in 2 ways. In your situation you should definitely reach out to Ramsey County property taxes and talk about entering into a payment plan for your old taxes. That forestalls forfeiture for nonpayment. That is getting a confession of judgment. I would hate to see you fix up the property only to end up losing it for nonpayment of taxes. You need to figure out how you will pay for this. I don't know your financial situation. My concern is we get it 10% done and you can't finish and the City is left saying the nuisance isn't abated. We only have one tool and that tool is demolition.

Skliris: I have 85% from the Code Compliance list done

Moermond: which concerns me since no permits were pulled.

Skliris: and you saw in good faith I pounded the pavement and went to the front desk.

Moermond: and you need applications by licensed contractors who can legally do work in St. Paul. That is of particular concern with plumbing and HVAC. You'll also need a building permit. I'm not having heartburn about where we are at. We need those pulled and those rough-in inspections. I'm concerned they're going to require you to open up walls. Getting those permits pulled is the way to go.

Skliris: my rough-ins had already passed for plumbing and electrical.

Moermond: you need to find contractors and put together a plan and find some money. By the way, you've maintained the property, and that is very good. Always in your favor. I'd like the Performance Deposit posted by Monday June 20. This goes to Council June 22 so I can hopefully say that was done and I'd like you to have more time to pull

together the rest of the project. If that Performance Deposit isn't done I will have a hard time recommending more time so you should plan on attending to explain yourself. If that Performance Deposit is met I will ask them to send it to July 26.

Referred to the City Council due back on 6/22/2022

- 4 RLH RR 22-29** Ordering the rehabilitation or razing and removal of the structures at 1807 SEVENTH STREET EAST within fifteen (15) days after the June 22, 2022, City Council Public Hearing.

Sponsors: Prince

Layover to LH June 21, 2022 at 9 am. By COB Monday June 20 PO must 1) post \$5,000 PD, 2) submit sworn construction statement including schedule, 3) pay property taxes, 4) proof of financing, 5) affidavit dedicating funds to the project, 6) submit contract if selling indicating title won't transfer until rehab is complete and 7) property must be maintained.

Cory Johnson, owner, appeared
Rashad Kennedy, contractor & partner, appeared

[Moermond gives appeal process]

Staff report by Joe Yannarely: the building is a one and one-half story, wood frame, single-family dwelling with a detached two-stall garage on a lot of 6,098 square feet. According to our files, it has been a vacant building since January 7, 2019. The current property owner is Jerome N. Bette (deceased), per AMANDA and Ramsey County Property records. On January 12, 2022, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An order to abate a nuisance building was posted on January 24, 2022, with a compliance date of February 23, 2022. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$25,000 on the land and \$174,700 on the building. Real estate taxes for 2019, 2020, and 2021 are delinquent in the amount of \$14,392.86, which includes penalty and interest. Taxes for the first half of 2022 are due and owing in the amount of \$3,660.00. This property is scheduled for forfeiture July 31, 2023. The vacant building registration fees were paid by assessment on December 1, 2021. A Code Compliance Inspection was applied for on April 14, 2022; however, it has not been done as the house needs to be cleaned out prior to any inspection. As of May 23, 2022, the \$5,000 performance deposit has not been posted. There have been twenty-six Summary Abatement notices since 2019. There have been fifteen work orders issued for Garbage/rubbish, Boarding/securing, Tall grass/weeds, and Snow/ice. Code Enforcement Officers estimate the cost to repair this structure exceeds \$75,000. The estimated cost to demolish exceeds \$25,000.

Moermond: so tax delinquency situation. It also has not been maintained to date?

Yannarely: we sent our first tall grass and weed work order yesterday for 2022.

Moermond: I also notice this letter is dated May 2, 2022 appointing you as representative. What is going on Mr. Johnson?

Johnson: I do a lot of foreclosures and probates. He passed in 2019, I think I found it when it was a Category 2. There was no obit or probate file, so I try to track down

surviving heirs and try and get them to probate or do it myself. That's what happened here. He has one relative in Florida, she was just going to let it go, I asked her to let me probate it so I could get control and rehab. That happened earlier this month.

Moermond: did that appointment involve satisfying the lien against it?

Johnson: I've been in touch with John Pravinsky from the collection division of that department. It will have to be satisfied. It is like \$33,000.

Moermond: Mr. Kennedy, what is your relationship? What is the plan?

Johnson: we were originally going to partner up on it and I was going to contract him but I have my hands full so we are talking about him just taking it on himself. That's the direction we're heading but we need to figure out how to structure that to satisfy your requirements.

Moermond: and before you are out of the gates you have \$50,000 to deal with.

Kennedy: yes.

Moermond: sounds like that's a deal with just probate costs.

Johnson: we don't have to deal with the lien until we try to sell.

Moermond: or I make it a condition of rehab. That's my angle. I need to know you can get in and out the other side. \$50,000 hanging out there I would like to see addressed.

Kennedy: it will be about \$110,000 to rehab.

Moermond: I need to see bids and project and how it all fits together. Which we've done before. Where are you at with the junk out?

Kennedy: it was done last Monday. It is done.

Moermond: what happened? Nathan went and it wasn't junked out?

Johnson: I thought it was ok but apparently it wasn't up to their standards. Nathan told me we had to do the trash out. I've called him and let him know it was done.

Moermond: so you need to get back on their calendar. When do you want to get started?

Johnson: as soon as possible. We're ready to go once we get that Code Compliance report and see what you need. I know posting that Performance Deposit and taxes caught up. We're ready to go, just ticking those boxes I guess.

Moermond: who is maintaining?

Kennedy: I will be starting today.

Yannarely: the parks crew is working slow so if you can get out there you may save yourself a couple bucks.

Moermond: what was your plan to deal with the Human Services lien and the past due

taxes?

Johnson: I was thinking the lien would be paid on the back end by the buyer, but I was planning to take care of the taxes and I would front that. We do have taxes factored in if he was purchasing, at closing.

Moermond: I imagine the State would like to see this fixed so they get their money out of it. The usual will be in the letter, and I see Mai Vang has been in communication with you describing those normal conditions. You have subs?

Kennedy: yes, I'm a licensed general and have a couple in house contractors, but we do subcontract.

Moermond: I think this May 4 email from Mai really stated those requirements well and do you a favor and call the building official and see if the Code Compliance can be expedited. And in return you are going to deal with those past due taxes and the documents for review and approval. I imagine you'll be able to develop one that will be approximating the Code Compliance Inspection requirements. We'll say a preliminary work plan and construction statement knowing there may be slight modifications.

Kennedy: it might, but It should come close.

Moermond: and the performance deposit. This goes to Public Hearing June 22 and if that Code Compliance Inspection can get expedited you may have your documents in a row. If you can have the documents to me June 20, we can talk June 21. I wont approve anything until I see that Code Compliance.

Referred to the City Council due back on 6/22/2022

- 5 RLH RR 22-30** Ordering the rehabilitation or razing and removal of the structures at 1006 THIRD STREET EAST within fifteen (15) days after the June 22, 2022, City Council Public Hearing.

Sponsors: Prince

If PD is posted by COB June 20, 2022 refer the matter back to LH July 26, 2022 at 9 am. Property must be maintained.

*Craig Barbee, attorney o/b/o
Jason and Katie Stockwell*

[Moermond gives background of appeals process and requirements for rehabilitating a Category 3 Vacant Building]

Staff report by Supervisor Joe Yannarely: the building is a one and one-half story, wood frame, single-family dwelling with a detached one-stall garage on a lot of 4,792 square feet. According to our files, it has been a vacant building since October 31, 2019. The current property owner is Cervelio Quezada and Alicia Quezada, per Amanda and Ramsey County Property records. On December 1, 2021, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An order to abate a nuisance building was posted on December 22, 2021, with a compliance date of January 21, 2022. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$11,600 on the land and \$266,700 on the building. Real estate taxes for the first half of

2022 are owing in the amount of \$4,624.00. The vacant building registration fees were paid by assessment on December 1, 2021. As of May 23, 2022, a Code Compliance Inspection has not been done. As of May 23, 2022, the \$5,000 performance deposit has not been posted. There have been fourteen Summary Abatement notices since 2019. There have been fifteen work orders issued for garbage/rubbish, boarding/securing, tall grass and weeds and snow and ice removal. St. Paul Fire Department responded to a fire in the basement of the building on February 9, 2021. The estimated damage to the building and contents was \$16,500. Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish exceeds \$20,000.

Moermond: looking over the fire report prior to today's hearing, do you have that? We can send you a link to our records. Because the damage is estimated at \$16,500 which was because a parent and children were squatting in the basement and starting fires to stay warm. Because the building didn't have the water shut off the Fire Department found significant water damage in the amount. That water damage isn't included in the estimated amount.

Yannarely: lack of maintenance on the property.

Moermond: right, two and a half years with 15 occasions.

Yannarely: there is still refuse on the deck and we're sending Excessive Consumptions. No one is taking care of it.

Moermond: who are Cervelio Quezada and Alicia Quezada

Barbee: they are still the owners, subject to the redemption period and foreclosure action completed by my client on April 14, 2022. We have filed to shorten that six month redemption period to five weeks. Assuming that goes through, that period expires July 6. We have had no contact from the Quezadas during the foreclosure process or serving them.

Moermond: and we have returned mail. Mr. Stockwell, where do you come from?

Stockwell: I am an approved developer with NCST to mitigate foreclosure and rehab homes and sell to owner occupants. They partner with banks and the banks will sell their note or interest through NCST to an approved developer so that the bank doesn't own the property and it gets rehabbed by a licensed professional. We cannot rent it; it has to be sold to an owner-occupant. It is a nation-wide organization.

Moermond: is it a nonprofit?

Stockwell: I am 99 percent sure. JPS homes works with NCST.

Moermond: I'm pushing because under local code title cannot transfer until the nuisance or dangerous condition is cured. There is an exception under the code for "partners of the housing and redevelopment agency". Which locally typically means a community development corporation. It sounds like you possibly fall under that definition if that organization functions in that way. But I need that documentation and to be able to draw that distinction.

Stockwell: and Jennifer is the NCST transaction desk here in Minnesota. I was hoping she could be here today, but she will communicate whatever is needed.

Stabilizationtrust.org is the website. She knows more about their organization than I do, I am just an approved developer in that organization.

Moermond: I am heartened, Mr. Barbee, that you've already moved forward with that shortened redemption period. I did hear we don't have a Code Compliance Inspection or Performance Deposit. Those are concerns. Do you have access to the structure?

Barbee: to clarify who I represent, and the potential seller to JPS homes, the loan servicer is Freedom Mortgage Corporation, they are the ones who completed the foreclosure and commenced the five week action. They aren't the owner of the loan. Now after sale it is considered by the servicers to be an REO and once that happens it becomes Freddie Mac's [Federal Home Loan Mortgage Corporation] property. I represent Freedom Mortgage Corporation, but am ultimately retained for this process by Freddie Mac. They will acquire either by quit-claim deed or assignment of sheriff's certificate and will become owner once the redemption period expires. Then it would go into their REO inventory. They are the party looking to contract through NCST, and NCST would facilitate sale to JPS Homes. We understand the transfer restrictions, so it would be a contract for Mr. Stockwell's company to do the rehab and be owned by Freddie Mac unless there is an exception. I don't have the whole history before me but we didn't get the referral until February of this year, and we did the sale the earliest available date in April. My guess is the servicer had it under some type of moratorium due to Covid. There was that federal moratorium and then servicers had their own in place. There were restrictions with CFPD that went into effect August that required review of loss mitigation options. Guessing they had to extinguish all those options before we got it which is why we didn't get it so late. Freddie Mac didn't get involved until now. They have authorized me to order the Code Compliance Inspection Report and we need that to determine whether it is feasible. Mr. Stockwell would have to look at that. We're asking for more time to allow that and they want the redemption period to expire before they start repairs.

Moermond: of course. Do you have physical access to the property?

Barbee: I believe so. I haven't been in touch with the property preservation agent yet. But I believe yes, they can access it.

Moermond: is it junked out?

Stockwell: no, it hasn't been.

Moermond: so that needs to happen before our inspectors will go out. They understand mold on surfaces, which would become part of the orders. But it needs that junk out first, and then the Code Compliance Inspection. In the normal course of events what an REO would do would put a lock box on the door and include that on the Code Compliance Inspection application. Wait until you have that done before you apply for the Code Compliance Inspection because them showing up and finding that will put you right at the bottom of the list. Where that falls with you taking title, I don't know.

Barbee: normally we don't touch personal property until the redemption period expires. If it is truly junk they will trash it out, but I don't know. Normally they will get an eviction order to authorize possession. They are very cautious about that. I'll have to talk to Freddie Mac and determine if that needs to be done. I will look into that and report back when the trash out can be done.

Moermond: who is maintaining the property now?

Yannarely: recently we did a cleanup, just last week. No one is.

Moermond: that's a problem. You may not have access to the inside but you can send someone to mow and pick up trash. You've entered life under the microscope and it is hard to say you are acting in good faith when the neighbors continue to experience minor nuisances on this path. We shouldn't have orders of this nature; you need to figure that out.

Barbee: ok.

Moermond: the other piece is posting that Performance Deposit. I would want to see that in place in order to ask them to continue the case. I'm happy to do that but I need to see that commitment from your client, be it Freedom or Freddie Mac. I know these are financial institutions and they have money but something to show like any other person to show commitment to the process. Upon performance it can be returned.

Stockwell: part of the NCST program is they allow banks to sell their interest to a local developer, JPS Homes in this case, my company. We locally can put up the deposit, shorten the redemption, clean it out, put on lock box, and get those things done. Usually quicker than a bank. Then we'd be handling it and send the proof of funds and statement. They transfer their interest of the mortgage to JPS.

Moermond: I don't think you'll get that done by June 22. You'll have to figure out contractually how to handle that \$5,000. It sounds like the current mortgage holder would post it and you can figure out contractually how to handle it. If you aren't considered a community development organization then any contract has to be approved by the City. How much does it cost get the lawn mowed?

Yannarely: \$150 an hour to mow the lawn, plus fees. It is \$320.

Moermond: and garbage?

Yannarely: you're adding to your expenses right now for sure.

Moermond: the property is being maintained at a pretty penny.

Yannarely: \$500 last week alone.

Moermond: it is cheaper to put on a list someone manages weekly, sounds like a great candidate for that. I don't care who does it but it does impact how it is looked publicly.

Stockwell: Freedom Financial and Freddie Mac, do they ever post that \$5,000 before they officially own it? Or maintain it? In my experience banks do that until there is full ownership.

Barbee: I'll have to talk to Freddie Mac about. They had authorized me to start that Code Compliance and I wasn't sure if the bond was required until after. Now I know the requirements I will communicate to them and report back about that and maintaining the property.

Moermond: that would be fantastic. Let's put a timeline on this. This goes to Council June 22. I want that Performance Deposit posted no later than close of business June

20. I will be checking to make sure property has bene maintained. We'll send a letter confirming this. get that done and I will ask Council to continue the case. If the court does do that shortened redemption period and we're looking at July 6. And the eviction? How long?

Barbee: I can check with my clients.

Moermond: I would like to touch base on this again July 26 and see where we are at in terms of getting bids. Often professionals can put together a preliminary bid once the junk out is done. Putting that out there.

Stockwell: NCST is a nonprofit organization. How do I connect Jennifer with NCST contact you?

Moermond: a letter will go out on Friday. Joanna Zimny will copy the appropriate people, so just connect with her on that. She can manage that.

Referred to the City Council due back on 6/22/2022

6 [RLH RR 22-24](#)

Ordering the rehabilitation or razing and removal of the structures at 1457 THIRD STREET EAST within fifteen (15) days after the June 8, 2022, City Council Public Hearing. (To refer to June 14, 2022 Legislative Hearing)

Sponsors: Prince

Refer back to LH June 14, 2022 at 9 am for further discussion.

Carl Berger, interested party, appeared

Moermond: looks like we had a hearing, you didn't come, now you are here.

Berger: I was in the hospital.

Moermond: that's a good reason. This has been a Vacant Building for 8 years. That's quite a long time. You are scheduled to forfeit for nonpayment of taxes. You've heard the background on the other cases about me reviewing the situation. I look at standard conditions.

Staff report by Supervisor Joe Yannarely: the building is a one-story, wood frame, single-family dwelling with an attached, tuck-under, one-stall garage on a lot of 7,405 square feet. According to our files, it has been a vacant building since October 1, 2014. The current property owner is Wilmington Savings Fund Society FSB Trust c/o Pretium Mortgage Credit Management per Amanda and Ramsey County Property records. On November 3, 2021, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An order to abate a nuisance building was posted on November 16, 2021, with a compliance date of December 16, 2021. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$28,500 on the land and \$220,200 on the building. Real estate taxes for 2019, 2020, and 2021 are delinquent in the amount of \$26,696.92. The property is scheduled for tax forfeiture in 2023. The vacant building registration fees were paid by assessment on November 1, 2021. A Code Compliance Inspection was done on November 16, 2019 and has since expired. As of May 9, 2022, the \$5,000 performance deposit has not been posted. There have been forty Summary

Abatement notices since 2014. There have been sixteen work orders issued for Garbage/rubbish, tall grass/weeds, and Snow/ice. Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish exceeds \$20,000.

Moermond: I noticed that your folks identified Wilmington Savings Fund Society as the owner. Do you have the ownership and encumbrance report with you?

Yanarely: there are current vehicle orders for the property.

Berger: everything is gone. The ownership was under and LLC when I got sick. People were taking care of stuff for me and they didn't keep it current. I've been paying taxes.

Moermond: no, you haven't. [Mr. Berger is given information on past due taxes] You'll need to get this figured out; you are in a world of hurt.

Berger: it was purchased under and LLC. I hired an attorney. I am in the process of getting it straightened out.

Yannarely: it looks like someone may have scammed you.

Moermond: and nothing has you listed as the owner. Who is your attorney?

Berger: the lady that helped had gone to law school I let her handle things and it was my fault and I didn't watch everything going on. I can get the purchase agreement and those things. The issue is we had some problems and I had a file with my records that I have to replace. It has been eventful but nonproductive for me the last 2 years. the mistakes are mine and I will own that. I put several thousand dollars into the property.

Moermond: do you have the money to do the rehab? Staff estimate \$50,000.

Berger: I have that.

Moermond: I don't know who isn't paying the taxes, and you aren't showing up as the owner. I need to see you have an attorney working on this. I can't tell the Council to give you time to work on a property you don't own.

Berger: I understand. If I go back to the realtor where I purchased and get the records showing I purchased it and paid for it, that's what I need to start with.

Moermond: I hope you have title insurance from that transaction.

Berger: I do not.

Moermond: that may not work out well for you. I don't even know where to begin because you don't own it. That makes it hard for me to say—

Berger: I understand. I appreciate your advice and concern. I have to get this all taken care of because I stand to lose a lot of money.

Moermond: how did you become aware it was under order to be removed?

Berger: I was out there doing work and I saw the posting.

Moermond: you need to hire an attorney yesterday. I will continue this for 2 weeks. At the very least I'll require that Performance Deposit to continue this conversation. Unless we get this ownership squared away, even doing that, we aren't past square one. You may want to bring attorney next time. That will be June 14 and I want that Performance Deposit by June 6. This goes to Council June 8. We'll talk June 14 if we have that Performance Deposit.

Yannarely: they may not take his money because he isn't the owner.

Moermond: this goes to Council June 8 and I will ask them to send it back to me June 14. We'll have a conversation. I won't expect that Performance Deposit is posted. I will expect an attorney and some progress on the title issues. Let's the Code Compliance application filed.

Referred to the City Council due back on 6/8/2022

7 [SR 22-91](#)

Review Request for a potential stay of enforcement of demolition for Joe Steinmaus, on behalf of Michael Murray, for property at 1628 DARLENE STREET.

Sponsors: Yang

Layover to LH June 14, 2022 at 9 am. Purchaser must 1) post \$5,000 PD, 2) submit sworn construction statement including schedule, 4) submit proof of financing, 5) submit affidavit dedicating funds to the project, 6) submit purchase agreement indicating title won't transfer until rehab is complete and 7) property must be maintained.

Joe Steinmaus, purchaser, appeared via phone

Moermond: reviewing the materials you submitted. It looks like we have most of what we need except we don't have that Code Compliance conducted yet.

Steinmaus: Nathan was there and said he'd be back this week.

Moermond: great, so you'll be able to get the bids locked in after that. I am going to continue this for two weeks to give you a chance to get that together. Is that enough time?

Steinmaus: absolutely.

Moermond: we'll talk to you again June 14 and hopefully have everything ready to go to Council after that.

Laid Over to the Legislative Hearings due back on 6/14/2022

10:00 a.m. Hearings

Making Finding on Nuisance Abatements

8 [RLH RR 22-25](#)

Third Making finding on the appealed substantial abatement ordered for 864 MARION STREET in Council File RLH RR 21-41.

Sponsors: Thao

Layover to LH June 14, 2022 at 10 am. PO to submit 1) updated work plan including updated bids and schedule, 2) new financial statement/poof of funds and 3) property must be maintained.

Robert Schilling, owner, appeared via phone

Moermond: would you like anyone else added to the call?

Schilling: Mr. Wolff, who is here with me. I have you on speaker.

Moermond: you received the letter indicating that you needed to reach out to Nathan Bruhn prior to today's hearing for him to visit and determine the percentage completed. As of today that visit hasn't happened, is that correct?

Schilling: that is correct.

Moermond: the last two times we spoke you were 20% complete. Has anything changed?

Schilling: no, it has not.

Moermond: I'm wondering why we should continue with this project. I'm not seeing any forward motion, even with the financial incentive of the increased Performance Deposit. That is disappointing. We've been at this conversation since November of 2019. Here we are two and a half years later and 20 % done. Why should I stand in front of Council and get more time to finish a project that I'm not seeing you have the wherewithal to finish?

Schilling: Brian Wolff can explain.

Wolff: I'm the building contractor on the permit. I've done a ton of these Vacant Buildings in the past. We've been frustrated from our side. We didn't get funds. He has his own contract with a lender, who is also a realtor, to get the funds. Another \$60,000. I have email and calls to him and he kept saying he was sending the money to a title company and it would be dispersed to Bob and myself. We got \$10,000 to start. I have to put down payments with the plumbing, electrical and mechanical contractors. That is substantial money. That's where the frustration is. My hopes, and I know this is the longest project you've seen in a while, is I can introduce some financing. I don't know how you feel about that. But I have talked to people willing to fund and get it going. My contractor with the lender clearly says one-third down, one-third upon rough-ins, and remainder upon completion. I was looking for about \$25,000 to start. That's where I'm stuck. I have known Bob a lot of years and I'm just trying to help him.

Moermond: this isn't a surprise to you. We've been at this a long time and why is it just now we're talking about someone else financing when it's been apparent for a long time your intended financier is not coming through.

Wolff: I'm not the bank, I just wanted to mention I have some possibilities for Bob. That is his contract.

Moermond: Mr. Schilling?

Schilling: in March of 2022 Mr. Wolff requested \$30,000—

Wolff: no, that was November of 2021 he was supposed to send it. Here is my \$30,000

invoice for withdrawal.

Schilling: my conversation the last time around was he assured you that the financing was secured. You and him know a lot more about that stuff than I do. It turns out that he's dragging his feet. The last conversation I had was in March and he proposed I just sell him the building. Well I don't know if there's fraud or what but I've definitely been not treated fairly.

Moermond: by whom?

Schilling: by the lender. I can't know I was going to be treated this way until we got into it. The last request was in March and the lender called me and I verified it and several weeks later Mr. Wolff asked where the money was and the next contact I had with David Shelton was him asking for me to just sell the building to him. He dragged his feet on funding to the point where I can't meet deadlines. I don't see where I'm totally at fault here. I'm shopping for an attorney to see if I can't correct some of these injustices. I'd like an extension to finish the project. He can be removed from the project completely and we'll get it done with him out of the picture.

Moermond: do you have a contract with this lender?

Schilling: yes.

Moermond: so you need to cancel that contract somehow.

Schilling: yes. At this point I owe a \$80,000 mortgage. I got the initial \$10,000, it was supposed to be \$20,000 to me and it was \$10,000 to Wolff. The issue was something happened contrary to what David Shelton said was going to. He's promised you. He's promised me.

Moermond: actually you promised me. Your contract with him was the basis for the promise you made as the owner. I'm not holding your financier accountable. I'm holding you accountable. This is the third time we're trying to figure out why it wasn't done. The first time I took at face value your financial wherewithal existed. The second time you still showed me the money. This is round three. Fool me three times? I don't think so. You need to bring forward something completely different to make this work. I am struggling to find out why I should stand in front of Council for the third time and say "he is 20% complete, let's give him a chance to finish." That would be extraordinary. He's 20% complete and he showed me a new financial plan and bids and so on, different story. You have a mess and you're not saying you got your act together prior to this conversation; you are saying "now that we are having it I promise I will get my act together." I don't know what Mr. Wolff and you have in mind in terms of specifics but it puts me in a bad position standing in front of 7 people I work for telling them this.

Schilling: I understand.

Wolff: I completely hear you. The financing I had in mind is I have approached an investor who is willing to fund it. Someone local. He's a personal friend in the business. That's what I can offer to Bob, all the rest I have is my track record. I had an inspection with Nathan last week with no issues.

Moermond: I'm going to give you some time to get that financing in place. I need to see a complete package of everything done by June 14. If not, I'm going to stand in

front of Council and the property is removed and we are done with this. Here's what you did to me last time, I stood and asked them to forfeit some of your Performance Deposit and you were required to post more. You didn't do it until after the Council took a vote to remove the property, then you went "oh I guess you are serious." Let me tell you walking in the room I'm not going to suggest they reconsider anything on your behalf. We stand there for the vote and we're done with the file. You have to go to bat for yourself on this one and show them the money. We'll talk June 14 and hopefully you have it together.

Laid Over to the Legislative Hearings due back on 6/14/2022

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

**9 RLH SAO Appeal of Judith Salaba to a Summary Abatement Order at 2291
22-15 ROCKWOOD AVENUE.**

Sponsors: Tolbert

Grant to June 17, 2022 for compliance.

*Judith Salaba, owner, appeared via phone
Brad House, owner, appeared via phone*

Moermond: we're calling about the Summary Abatement Order on the properties there. I was trying to do some follow up to see what kind of action the City could take to be helpful in your circumstances. The no parking on the mailbox does constitute a traffic sign the City would regulate and isn't ok. I was looking to public work and the USPS for potential solutions and it has been frustrating for me, so I can only imagine how it was for you, even more so. I can tell you that Public Works and DSI want that no parking to come off the mailbox. We can put a deadline on that. I've also talked to the Ward office and the CM is interested in helping problem solve this. I did drive your street to make sure I had a good feel for the situation. I noticed some are close to the driveways and some aren't and are centered in front which makes it harder. I reached out to the USPS, to no avail really. Then I reached out to the Elway station that serves your neighborhood, they also were not particularly helpful. They insist they won't get out of their vehicles. I then checked with Congresswoman Betty McCullum's office because we had looked up the USPS operations manual indicated that for incidental blockage of the mailbox the carrier should get out and deliver the mail. An ongoing problem the mail carrier can ask the supervisor if they can discontinue trying to deliver. So I was frustrated it looked like there's a national policy that isn't being observed at a local level. When I talked to McCullum's office they told me the federal level leaves it up to the local level, which again isn't what the manual says. We went around and around on that. You are no doubt familiar with the USPS will not accept mailboxes moved from curb to house, they won't go backwards in time. That again is a thing. I noticed there is no sidewalk, and not sure if that would help anyways.

House and Salaba: no.

Moermond: my first thought is that public works may be willing to put a sign up indicating, if we legally can, no parking within 10 feet of a mailbox

House: I like that

Moermond: we'd have that between the hours of 8 and 4 for example. That may be possible. The order to get the no parking off the mailbox we have decided to convert to a correction order, however enforcement of a correction notice means they won't pull the sign off but they charge you for each time you blow the deadline for removing the lettering. I have talked to the ward office and I think they'd be willing to facilitate that conversation with public works. I think right now that is the best we can do. The only thing throwing me off was the federal reference for not delivering mail and right now we're having trouble finding that language because we have uncooperative postal service.

House: there's really no solution unless we do that sign

Moermond: and that would be enforceable as a traffic sign. I don't know if they'd want it permit parking or how they would interpret those procedures. I have the CM office alerted to this and they can work with you. One of the questions was would you be willing to have a block meeting to talk about it?

House: sure

Salaba: permit parking isn't good because if you have company it isn't great. We don't want to block people all the time, we just want our mail. The USPS told us to call the police. You know our frustration.

Moermond: they won't enforce that, yeah. We can't even get a federal code reference that this would be in violation of, that's how uncommunicative they have been. When I talked to the Elway station and they told me "when it happens we give the customer a thing". I asked them to share that "thing" with me. I know you included that postcard, didn't know if they meant that. as we talked it through I still wasn't clear but they said I could get a copy of the thing, and I asked if they would email or mail it to me. They said they wouldn't do that because its government resources. They wouldn't use USPS and 55 cents. I'm a bit salty about this.

House: what do I need to do

Moermond: the no parking has to come off the mailbox. I think we need to get a time for you to talk to the councilmember on this or the aide. If you did have permit parking you could get the placards for guests, but I get it. We'll send a follow up letter and connect you with the Ward 3 office to help navigate this process with PW. I think with their advocacy it is more likely to work out.

Salaba: when the post office get tired of a car in front of our mailbox they leave a note on the mailbox. We have no idea who is parking there. We can't do anything about it. That is frustrating.

Moermond: of course, none of this is easy. You presented me with a challenge and I have taken the ball as far as I can. I will say we'll put this in front of Council June 15, give the ward office a chance to reach out and give you a June 17 deadline for removing the sign from the mailbox. Are you willing to remove that by that deadline MR. House?

House: I guess I'm required to do it at this point.

Moermond: yeah, you'll end up with bills for excessive consumption of Code

Enforcement time. We'll put that deadline out there a month and in the meantime have the ward office facilitate some sort of gathering.

House: just so you know there are other signs in the neighborhood that didn't get orders.

Moermond: Mr. Kedrowski is on the line and can address that.

Kedrowski: I did cite 9 or 10 houses. The mailbox in proximity to the driveway, is it possible to move the mailbox closer to the driveways?

Salaba: I go down my steps and to the street and to walk over to my driveway in the winter I have to pull my car out to drive to the mailbox because of the ice. I'm elderly. It has been there for 70 years. If the mail people want to move it that's fine. It is convenient for me.

Moermond: the person who will probably be navigating is Adam Yust. We'll share your contact information and he can take it from there.

Salaba: is there a possibility we'll get dropped in the whole thing?

Moermond: I think it is less likely than with the USPS.

Referred to the City Council due back on 6/15/2022

**10 RLH SAO
22-16**

**Appeal of Brad House to a Summary Abatement Order at 2285
ROCKWOOD AVENUE.**

Sponsors: Tolbert

Grant to June 17, 2022 for compliance.

*Judith Salaba, owner, appeared via phone
Brad House, owner, appeared via phone*

Moermond: we're calling about the Summary Abatement Order on the properties there. I was trying to do some follow up to see what kind of action the City could take to be helpful in your circumstances. The no parking on the mailbox does constitute a traffic sign the City would regulate and isn't ok. I was looking to public work and the USPS for potential solutions and it has been frustrating for me, so I can only imagine how it was for you, even more so. I can tell you that Public Works and DSI want that no parking to come off the mailbox. We can put a deadline on that. I've also talked to the Ward office and the CM is interested in helping problem solve this. I did drive your street to make sure I had a good feel for the situation. I noticed some are close to the driveways and some aren't and are centered in front which makes it harder. I reached out to the USPS, to no avail really. Then I reached out to the Elway station that serves your neighborhood, they also were not particularly helpful. They insist they won't get out of their vehicles. I then checked with Congresswoman Betty McCullum's office because we had looked up the USPS operations manual indicated that for incidental blockage of the mailbox the carrier should get out and deliver the mail. An ongoing problem the mail carrier can ask the supervisor if they can discontinue trying to deliver. So I was frustrated it looked like there's a national policy that isn't being observed at a local level. When I talked to McCullum's office they told me the federal level leaves it up to the local level, which again isn't what the manual says. We went around and around on that. You are no doubt familiar with the USPS will not accept mailboxes

moved from curb to house, they won't go backwards in time. That again is a thing. I noticed there is no sidewalk, and not sure if that would help anyways.

House and Salaba: no.

Moermond: my first thought is that public works may be willing to put a sign up indicating, if we legally can, no parking within 10 feet of a mailbox

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Moermond: we'd have that between the hours of 8 and 4 for example. That may be possible. The order to get the no parking off the mailbox we have decided to convert to a correction order, however enforcement of a correction notice means they won't pull the sign off but they charge you for each time you blow the deadline for removing the lettering. I have talked to the ward office and I think they'd be willing to facilitate that conversation with public works. I think right now that is the best we can do. The only thing throwing me off was the federal reference for not delivering mail and right now we're having trouble finding that language because we have uncooperative postal service.

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Moermond: they won't enforce that, yeah. We can't even get a federal code reference that this would be in violation of, that's how uncommunicative they have been. When I talked to the Elway station and they told me "when it happens we give the customer a thing". I asked them to share that "thing" with me. I know you included that postcard, didn't know if they meant that. as we talked it through I still wasn't clear but they said I could get a copy of the thing, and I asked if they would email or mail it to me. They said they wouldn't do that because its government resources. They wouldn't use USPS and 55 cents. I'm a bit salty about this.

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Moermond: I think it is less likely than with the USPS.

Referred to the City Council due back on 6/15/2022

1:00 p.m. Hearings

Vacant Building Registrations

- 11 [RLH VBR 22-25](#) Appeal of Gil Pariente and Shai Leibovich to a Vacant Building Registration Notice at 1171 ROSS AVENUE.

Sponsors: Yang

Layover to LH June 7, 2022 at 1 pm (unable to reach owner/rep).

Voicemail for Community Stabilization Project at 1:18 pm: This is Marcia Moermond from St. Paul City Council calling because you are listed on an appeal related to 1171 Ross. I have no other information than your name happens to be on the form.

Voicemail for Shai Leibovich at 1:19 pm: This is Marcia Moermond from St. Paul City Council calling you about 1171 Ross. Your name is on the appeal form. We'll try you back after we complete the next appeal on our agenda.

Voicemail for Shai Leibovich at 1:45 pm: This is Marcia Moermond again calling you

about the appeal for 1171 ross. We have been unable to get ahold of you. We'll continue this to Tuesday, June 7 where we will put a decision on the record whether or not we can get ahold of you.

Laid Over to the Legislative Hearings due back on 6/7/2022

12 [RLH VBR 22-26](#) Appeal of Gladys Igbo to a Vacant Building Registration Notice at 385 UNIVERSITY AVENUE WEST.

Sponsors: Thao

Layover to LH June 7, 2022 to discuss findings of May 26, 2022 inspection.

Gladys Igbo, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Mitch Imbertson: it came up as a Fire Certificate of Occupancy inspection renewal in 2017. At that time you were dealing with a prior inspector, ultimately the building had gone vacant and wasn't re-certified. A revocation notice was issued September 6, 2017 which is our notice the Certificate of Occupancy has been revoked, either for noncompliance or being vacancy between tenants. The expectation is the property is re-certified prior to reoccupying. We have a couple building permits from 2017 for a potential build out and change of use that didn't happen. We were continuing to monitor as unoccupied, still no Certificate of Occupancy. It appears the inspectors didn't see any signs of re-occupancy and under the impression it was unoccupied up until this year. It was referred to the Vacant Building program based on the extended amount of time it was under revoked Certificate of Occupancy. I didn't see any signs of occupancy I was out there, but I did not make entry. When we do those vacant checks it is done from the exterior to check for new signs the building has been reoccupied.

Moermond: you said your most recent inspection, when was that?

Imbertson: May 4, 2022.

Staff report by Supervisor Matt Dornfeld: we opened a Category 1 Vacant Building May 6, 2022 per Inspector Imbertson's referral. At the time of inspection inspector Hoffman posted the placard, took some photos, and thought it appeared vacant. He didn't note any other findings and have not received any nuisance complaints.

Moermond: Ms. Igbo, why are you appealing?

Igbo: I remember working with Mr. Wayne Spearing who approved the property. The property belongs to this family and I'm doing a wellness program. I agree there was a fire inspection and it is still on the wall. It is my fault the last inspection was 2017. Mr. Spearing approved the property in 2017.

Moermond: both the paperwork and Mr. Imbertson's report indicate that Mr. Spearing didn't approve it, rather he revoked your Certificate of Occupancy.

Igbo: oh, for what?

Moermond: there's a long list of things in that letter.

Igbo: I'm not familiar with the revocation and what needs to be done. It is a 3 level small property. Everything functions. With Covid there hasn't been any activity. Right

now everything works, water, electric, air conditioning. I don't know what they want me to fix. Everything works. I've been calling for information to do a fire inspection and they haven't responded. Then I filed this appeal. I'm willing to have someone come out. They said there is no sign, there is "Golden Roses Enterprises" between first and second level. It isn't for me to make money it is to help the community. There haven't been any issues since 2017. I truly apologize I missed that fire inspection issue.

Moermond: getting the property inspected is a good first step. I do have in front of me a Fire Certificate of Occupancy revoked 5 years ago. It should not have been occupied without that. Let's get an inspector in there. Mr. Imbertson, can that happen before June 7?

Imbertson: certainly. Inspector Huseby is still on leave so I would likely go out. I've made attempts to call you, I don't have records of exactly when. I did try as soon as I heard you were calling the Vacant Building Department. I left a message once and was unable to leave a voicemail 2 others time. In Inspector Huseby's absence I can be out there this week.

Moermond: let's schedule this right now.

Imbertson: This Thursday the 26th I could do 3 pm, or Friday the 27th at 11 am or 1 pm.

Igbo: the first one, Thursday at 3, I will be there.

Moermond: May 26 at 3 pm. [phone numbers are confirmed]. We'll talk again June 7 about that inspection.

Laid Over to the Legislative Hearings due back on 6/7/2022