

RLH VBR 13-34



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

JUN 13 2013

CITY CLERK

We need the following to process your appeal:

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

<p>HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>June 25, 2013</u></p> <p>Time <u>2:30 p.m.</u></p> <p><u>Location of Hearing:</u> Room 330 City Hall/Courthouse</p>

Address Being Appealed:

W3

Number & Street: 2706 GANNON ROAD City: ST PAUL State: MN Zip: 55116

Appellant/Applicant: Better Business Bureau Email barb.grieman@thefirstbbb.org

Phone Numbers: Business 651-695-2459 Residence _____ Cell 612-709-2874

Signature: Barb Grieman Date: 6-7-13

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: _____

Phone Numbers: Business _____ Residence _____ Cell _____

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

- Vacate Order/Condemnation/Revocation of Fire C of O
 - Summary/Vehicle Abatement
 - Fire C of O Deficiency List
 - Code Enforcement Correction Notice
 - Vacant Building Registration
 - Other
- Please see attached



Better Business Bureau

Serving Minnesota & North Dakota

220 South River Ridge Circle

Burnsville MN 55337

T: (651) 699-1111 F: (651) 699-7665

www.thefirstbbb.org

June 6, 2013

Dear Sir or Madam,

The Better Business Bureau of Minnesota and North Dakota moved from its location at 2706 Gannon Road in St Paul last March. We purchased a building in Burnsville and now occupy that building. We have been trying to sell the Gannon Road building since we moved. We thought we had a buyer, but unfortunately the buyer dropped out at the last minute. We never stopped listing the building through our realtor, CresaPartners.

We received notice from the City that the building was being categorized as “vacant” and we were able to get an extension from the City but now have received notice that we owe a vacant building registration fee of \$1440.

We would like to appeal this fee for the following reasons:

- The building has always been properly and meticulously maintained except for two windows in the back of the building that had outer panes (not inner) broken by vandals. We were advised by our realtor to leave those windows “as is” since repairing them would probably only result in more vandalism. They suggested we wait until the building was sold.
- The building is protected by an armed security system through Silent Knight Security.
- The building has fire security protection through Silent Knight Security.
- The building is and has always been insured.
- The grounds are maintained through a monthly contract serviced by Big Backyard.
- We rent our parking lot to Buca (next door) and there are people parking in our lot every night.
- We contract with Palen Kimball to service the heating/cooling system.
- I or one of my staff visits the building on a regular basis to inspect it.
- I have spoken to the tenants group from the multi-housing units across the street to keep them informed of our efforts to sell the building.
- I have spoken to the Fire Marshall’s office and to the City of St Paul (through Dennis Senty) to make sure the BBB is doing everything we need to in order to be in compliance with the City.

We also want the City of St Paul to know that we had a valve leak in our upstairs bathroom and we incurred some damage to the walls and ceiling. We immediately hired Green Clean Restoration

Services to remove all damaged areas, mold, etc., and refurbish. So the inside of the building is now in better condition than when we left.

We will continue to keep our maintenance contracts renewed and monitor the building so that the City of St Paul has no work to do for the building or property.

We do have an offer on the table for the building and foresee being able to sell the building soon, especially with the updates that have been done.

We appeal this fee because we have taken such good care of the building, have not allowed the building to get rundown, have kept in tight communications with the City, and have an offer on the table for the building.

As a non-profit with an extremely tight budget this year, we appeal to you to defer this fee and give us an extension.

Sincerely,



Barb Grieman

Vice President

DEPARTMENT OF SAFETY AND INSPECTIONS

Steve Magner, Manager of Code Enforcement



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

May 27, 2013

Nuisance Building Code Enforcement

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

651-266-8989

651-266-1919

www.stpaul.gov/dsi

Better Business Bureau Mn Inc
220 S River Ridge Cir
Burnsville MN 55337-1610

VACANT BUILDING REGISTRATION FEE

WARNING LETTER

The Saint Paul City Council has adopted legislation which requires owners of vacant buildings to pay an annual fee and submit a registration plan on the form(s) enclosed with this letter. The annual fee is **\$1,440.00**. The purpose of this fee is to partially reimburse the City for administrative costs for registering and processing the Vacant Building Owner Registration forms and for the cost of monitoring these properties for compliance with Saint Paul Legislative Codes.

*The fee for the vacant building located at **2706 GANNON ROAD** is now past due. You have fifteen (15) days from the date of this letter to pay this bill before this fee is sent to assessment, to be collected with your property taxes.*

Do not mail cash

Saint Paul Legislative Code, Chapter 43 requires this fee be paid no later than thirty (30) days after the building becomes vacant, and if not paid the owner shall be subject to collections and prosecution as prescribed in the Legislative Code. Also, if at any time the registration fee is unpaid and owing, building permits will be denied for this building.

The full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.

The owner(s) still will be subject to a criminal Summons and Complaint for failure to pay this vacant building registration fee. This citation will necessitate a court appearance in Ramsey County District Court and the owner(s) will be subject to penalties provided for by law. The enclosed registration form must accompany the fee payment.

If you wish to pay in person, you may do so at:

DEPARTMENT OF SAFETY AND INSPECTIONS

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

between the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday.

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

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

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

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

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

If you have questions about this registration fee or other vacant building requirements, please contact the Enforcement Officer, Dennis Senty, at 651-266-1930.

Your prompt attention to this matter is appreciated. Thank you.

Steve Magner

Vacant Buildings Program Manager
Department of Safety and Inspections

Enclosures: Regulations Requirements Information
Vacant Building Registration Form

SM: ds

vb_warning_letter 11/12

City of Saint Paul
 Department of Safety and Inspections
VACANT BUILDING REGISTRATION FORM

Date: _____

Address of Property: _____

Planned disposition of this building (please check one):

I plan to rehabilitate this structure commencing (date): _____

I plan to demolish (wreck and remove) this building by (date): _____

I am willing to authorize the City of Saint Paul to demolish and remove this building(s).

This building is **vacant as a result of fire damage**. The fire occurred on (date) _____. I, as the property owner, want to claim registration and fee exemption status for ninety (90) days from the date of the fire. I intend to repair and reoccupy the building.

Other: _____

Responsible Party: Persons/organizations who will ensure compliance with the ordinance:

NAME	ADDRESS	PRIMARY PHONE	ALTERNATE PHONE
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Persons, lien holders, mortgagees, mortgagors and other interested parties known to me:

NAME	ADDRESS	PRIMARY PHONE	ALTERNATE PHONE
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All persons listed here will receive letters for the annual fee renewal. Also use this form to de-register your interest.

<p>_____ Print Your Name (legibly)</p> <p>_____ Signature Date of Birth</p> <p>_____ Address</p> <p>_____ City State Zip</p> <p>_____ main contact telephone alternate phone</p> <p>_____ Email address (print legibly)</p>	<p>NOTE NEW VB FEE of \$1,440 effective for registrations due on or after January 1, 2013.</p> <p>INSTRUCTIONS:</p> <p><i>Complete and return this form with your VB registration fee payment of \$1,440.00.</i></p> <p><i>Make checks payable to: <u>City of Saint Paul</u></i></p> <p><i>Credit cards are accepted</i></p> <p><i>Make Payment at, or mail payment to:</i></p> <p style="text-align: center;">City of Saint Paul Department of Safety and Inspections Code Enforcement – Vacant Buildings 375 Jackson Street, Suite 220 St. Paul, MN 55101-1806</p> <p><i>Thank you for your cooperation</i></p>
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City of Saint Paul
Department of Safety and Inspections
Vacant Buildings Program
Requirements, Regulations and Information

The Council of the City of Saint Paul has adopted ordinances regulating vacant and unoccupied structures.

You must register this building with St. Paul Department of Safety and Inspections, Vacant/Nuisance Buildings Code Enforcement Unit if the building is unoccupied and:

1. Unsecured, or
2. Secured by other than normal means (boarded), or
3. A dangerous structure, or
4. Condemned as uninhabitable, or
5. Condemned or Vacated by Fire Marshal Certificate of Occupancy Program, or
6. Has multiple housing or Building Code violations, or
7. Is condemned and illegally occupied, or
8. Has been unoccupied for a period of time longer than one year during which time the Enforcement Officer has issued an order to correct nuisance conditions.

Registration Requirements

1. Submit the enclosed Vacant Building Registration Form within 30 days, describing plans for rehabilitating and reoccupying or demolishing the building.
2. Disclose all pertinent ownership information.
3. Disclose all pertinent lien-holders.
4. Disclose any current Truth-in-Sale of Housing Disclosure Reports.
5. Pay the \$1,440.00 annual Vacant Building Registration fee within 30 days of receiving this letter. **If the registration fee is not received within 45 days of the due date the full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.**

NOTE: If the building is vacant due to a fire, you may have a 90 day exemption from the registration fee. You must still submit the enclosed Vacant Building Registration Form within 30 days informing us of your plans for the building to qualify for this exemption. At the end of 90 days your rehabilitation must be complete OR you must pay the \$1,440.00 registration fee.

6. Provide unencumbered access to all portions of the premises of the buildings to permit the Enforcement Officer to make a complete inspection.

Owners, agents, assignees and all responsible parties are required to comply with the following requirements of the Saint Paul Legislative Code:

1. Keep all buildings secure.
2. Keep all porches, stairs, and exterior premises free of refuse, junk and debris.
3. Cut grass and weeds.
4. Remove snow and ice from sidewalks.

Sale Requirements – Contact the Vacant Buildings section, 651-266-8989, for full details. There is a fee of \$275.00 for the Sale Review Process.

VB1 – Current registration and fees; notify the City; restore utilities.

VB2 – No sale without City approval. Requirements include: current registration and fee payments, code compliance report, cost estimate for all repairs, a schedule for completion of the repairs, and proof of financial capability to complete all repairs.

VB3 – No sale without a Certificate of Code Compliance or Certificate of Occupancy.