



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final - Final Legislative Hearings

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Tuesday, September 30, 2014

9:00 AM

Room 330 City Hall & Court House

Remove/Repair Orders

- 1 [RLH OA 14-26](#) Making recommendation to Ramsey County on the application of Todd A. Kormanik for repurchase of tax forfeited property at 536 CLAY STREET.

Sponsors: Thune

Attachments: [536 Clay St.repurchase application.9-24-14](#)
[536 Clay St.Photos.8-27-14](#)
[536 Clay St.VBRF and Plan.9-6-13](#)
[536 Clay St.STAMP Run.9-24-14](#)
[Repurchase Letters - 535 Clay St and 1075 Stinson St.9-30-14](#)

Ms. Moermond:

- Application for Repurchase (car wash)
- property went forfeit to the State of MN Aug 1, 2013
- amount of delinquent taxes at that time was \$87,160.79 (not sure if that includes assessments)
- there have been a couple of things, police-wise but nothing out of the ordinary for a commercial structure

Steve Magner, Vacant Buildings:

- does not see a lot of police calls
- re police calls, did the calls for service reference the actual location because the actual address is not visible from the photographs
- assumes that more calls for service were most likely attributed to the intersection of West 7th and Erie or McDonald's parking lot; without looking more closely those at the calls for service to those other 2 locations, we aren't getting a clear picture of those that were attributed to this particular property
- other issue: a number of complaints in the history; graffiti; operation of the car wash when it was running about overflowing trash, no soap in dispensers, overflowing dumpsters blowing trash all over, etc.
- currently, it's a Registered Vacant Building
- pattern of deferred maintenance; it's not been well taken care of
- while it was open, many times didn't have full-time staff on site (tends to attract unwelcomed element)
- based on what has happened there and there seems to be a large delinquent tax amount, is hardpressed to say that this would be an asset to the city as a rehabilitated structure
- DSI recommends against allowing repurchase based on the calls for service and the lack of maintenance

Ms. Moermond:

- the building is not in great shape
- struggling - thinks it's a moderate call load for code violations
- thinks there's a greater volume than represented by the calls to this specific address
- concerned that an active car wash without rehab going into it will be a nuisance location; at the same time, has been borderline nuisance in the past
- if Ramsey County wants to allow for repurchase, she would recommend that they get a thorough report from the applicant regarding future plans for the site
- city's concern: the area is a gateway to the West 7th area where's there's been a lot of neighborhood rehabilitation going on
- will recommend against allowing repurchase and if the County Board allows for repurchase, the purchaser needs to provide a thorough report of future plans for the site

Referred to the City Council due back on 10/15/2014

2 [RLH OA 14-27](#)

Making recommendation to Ramsey County on the application of Nationstar Mortgage LLC for repurchase of tax forfeited property at 1075 STINSON STREET.

Sponsors: Thao

Attachments: [1075 Stinson St.repurchase application.9-24-14](#)
[1075 Stinson St.STAMP Run.9-24-14](#)
[1075 Stinson St.Sale Review Info.4-3-14](#)
[1075 Stinson St.Code Compliance Rep 3-11-14](#)
[Repurchase Letters - 535 Clay St and 1075 Stinson St.9-30-14](#)

Steve Magner, Vacant Buildings:

- this is a Registered Vacant Building (residential single family)
- police calls for service are different for a house; only show 3 disturbance calls, which occurred in Jul 2013 and Apr 2014; the two in Jul were advised; the Apr was unfounded
- during the time in 2013, DSI was getting complaints; SA for tall grass/weeds; SA for garbage, rubbish; lack of maintenance in Jul 2013

Ms. Moermond:

- really concerned that we have Mortgage Electronic Registration System (MERS) involvement and that the Applicant, Nation Star Mortgage is blaming MERS for not escrowing the property tax when MERS is not a bank and there's been a lot of litigation around that; a property cannot be owned by MERS
- Nation Star is the servicer
- MERS is a clearing house for titles
- Nation Star should have been taking some responsibility for managing this property
- sheriff's sale: Jul 2013

Mr. Magner:

- from Jul 2013 forward, VB activity: 1 SA
- forfeited on Aug 1, 2013; usually we'd see more activity there but when Ramsey County takes over, they usually put the property on their maintenance schedule

Ms. Moermond:

- seeing that Nation Star and Richard Vang were previous owners; both would have gotten these Notifications and they forgot to check to see whether the taxes were

paid; and pay them

Mr. Magner:

- it's not uncommon for mortgages companies not to follow thru
- we show Lewisville TX got a VB Reg Notice
- have a VB Registration Form from Jenkins Homebuilders Inc, responsible party for Nation Star, dated Feb 13, 2014 (after the forfeiture)
- opened the VB file 6-27-13, registration letter went out 6-28-13 to Richard and Mary Vang; it wasn't until later that Nation Star was added to the county record
- even if they would have gotten Notice, it was too late to do anything because the property had forfeited
- DSI would allow for repurchase; can't tie in any back history because it's not the same property owner

Ms. Moermond:

- thinks that they got Notice from Ramsey County; thinks all mortgage holders get Noticed
- put in a call to Sheri Moore, City Clerk, who also thinks that all mortgage holders get Noticed because there have been many cases where banks have brought the taxes current
- also agrees with Mr. Magner that in this case, the timing was hard
- will recommend to allow for repurchase

Referred to the City Council due back on 10/15/2014

11:00 a.m. Hearings

Summary Abatement Orders

- 3 [RLH SAO 14-38](#) Appeal of Claudia Speak to a Summary Abatement Order at 811 PORTLAND AVENUE.

Sponsors: Thao

Attachments: [811 Portland Ave.appeal.9-19-14](#)
[811 Portland Ave.Speak Ltr.10-1-14](#)

Claudia Speak, owner, and her contractor, Ellery Stack, appeared.

Inspector Mark Kaisersatt:

- Sep 5, 2014: complaint re storage in back yard; trailer parked on unapproved surface
- Sep 14 inspection found a variety of storage items: large wood tables, table saw, tools, concrete rubble, plastic buckets, etc, and a small utility trailer parked on the grass
- issued a Summary Abatement with a 10-day recheck
- re-checked Sep 26
- Ms. Speak appealed

Ms. Speak:

- they removed the old garage and will be building a new garage
- has photos; her old garage was hit by a tree
- the contractor has been working with Christine Boulware, Historic Preservation Commission (HPC)

Mr. Stack:

- has been working with Ms. Boulware for the past 3 weeks trying to get permits pulled to build a 3-stall garage
- HPC requires more than what is normally required; things take longer
- introduced the photos
- asking for more time to store these materials in the back yard so that they can complete the job

Ms. Speak:

- believes that the concrete rubble is already gone
- some small things can be stored in their utility shed (table saw, tools)
- plastic buckets can go into the basement

Ms. Moermond:

- wants to trim down the list of items in the yard
- need to do something with the wood tables and shelving, which will go into the new garage
- utility trailer is 4 x 6

Mr. Stack:

- building will start right after HPC approves it; probably 2-3 weeks away from that approval
- the concrete will go in before frost
- garage will probably go up sometime in Nov
- the fence will come down
- tables can't be stored in the basement because they will not be able to make the turn to go down the steps

Ms. Moermond:

- get the tables, shelves underneath a very neat tarp - taped down in place; will grant extension to Dec 12, 2014
- remove the other items and trailer by Oct 6, 2014
- will grant until October 6, 2014 for removal of plastic buckets, concrete rubble, etc; and grant until December 12, 2014 to remove the tables provided that a tarp is properly covering them until then

Referred to the City Council due back on 10/15/2014

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 4 [RLH VO 14-52](#) Appeal of Rick Schoolmeesters to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1111 FOURTH STREET EAST.

Sponsors: Lantry

Attachments: [1111 Fourth St. E.appeal.9-24-14](#)
 [1111 Fourth St. E.correction notice.9-17-14](#)
 [1111 Fourth St E.Schoolmeesters Ltr.10-1-14](#)

Rick Schoolmeesters, owner, appeared.
Utility Shut-Off; electricity

Inspector Ed Smith:

- Sep 15, 2014, DSI received notice from Xcel that electric service had been shut-off for nonpayment
- Sep 17, 2014, he did the inspection and called Xcel; they confirmed that the electricity was still off; he issued a Correction Notice that the electricity be restored no later than Sep 21, 2014
- Sep 22, 2014, he called Xcel again and they confirmed that the electricity was still off; he issued a Condemnation letter
- Sep 23, he placarded the house with Vacate date no later than Sep 24, 2014, at which time Mr. Schoolmeesters filed an appeal
- called Xcel 2 pm yesterday; electric still off
- called Xcel 8 am today; electric still off

Mr. Schoolmeesters:

- Xcel hasn't sent him a bill in 3 years
- called Xcel and asked if I was still on this roster
- all of a sudden, now, he just got some mail from Xcel; they want him to come with \$4800
- doesn't know how Mr. Smith got onto his property Sep 17
- he called Mr. Smith Sep 18, 19; he was going to come out on Sep 20, which is a Sun (that's what he said in the letter)
- he talked to Mr. Smith's supervisor, who said he should appeal
- he didn't know there was an Order on the electricity; didn't know that could not have your electric off
- he had been using UV lighting and solar panels; he doesn't use candles or fuel; he is safe
- he has talked with RAPP; they will help him; he should have this resolved today or tomorrow
- what happened to St. Paul and what happened to the people who try to help you out? Doesn't see any of that going on
- being harassed by the city; Mr. Smith comes onto my property looking for something to write me up on
- he has a 6-foot fence around his whole yard; wants to be left alone
- he doesn't need any more tickets or bills; he's not rich and is having a hard time paying his back taxes because I couldn't live in his house for 3 1/2 years because the city would not allow him back in his house because of a flood caused by God

Mr. Smith:

- this property was first brought to his attention by SPPD; they have been out there multiple times
- he has also had complaints about a scrapping operation being run on this property
- the electricity was shut off; if you don't pay your bill; Xcel will shut off you elect/gas off

Fire Inspector A. J. Neis:

- Jul 31, 2014: Fire received a complaint for illegal burning
- Aug 14, 2014: he investigated the open burning complaint and also a complaint called in for a camper parked in the yard and someone living in there
- when they get a complaint; it's their duty to investigate; it was not a sweep
- when he was there Aug 14, Mr. Schoolmeesters advised him that the electricity had been shut-off within the hour before Mr. Neis arrived (Ms. Moermond: usually Xcel allows some time to give the occupant a chance to handle the bill privately)
- Mr. Neis advised Appellant that the electricity needed to be turned back on; he asked to look at the meter to make sure there was no tampering; at that time, Mr. Schoolmeesters advised Mr. Neis to leave the property, which he did
- Mr. Neis advised Code Enforcement, who followed up a month later waiting for the complaint to come in from Xcel

Mr. Schoolmeesters:

- reiterated that he did not know that you had to have electricity; he's not using dangerous sources

Ms. Moermond:

- by law, electricity is considered a basic facility along with sewer, water, gas, if you have gas appliances
- the Appellant needs to pay Xcel enough so that they will turn the electricity back on and come up with a solution

Ms. Schoolmeesters:

- Xcel wants \$3800 minimum
- he doesn't have a phone right now
- money is a big issue
- what is someone supposed to do; do you want to through a guy out on the street?

Ms. Moermond:

- wants to give him some time; not sure how long it will take for the RAPP response
- will grant until October 17, 2014 to have power restored
- the inspector will come on Oct 20, 2014

Referred to the City Council due back on 10/15/2014

- 5 [RLH VO 14-51](#) Appeal of Barry M. Silver and Julie Silver to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 795 WATSON AVENUE.

Sponsors: Thune

Attachments: [795 Watson Ave.appeal.9-23-14](#)
[795 Watson Ave.Silver Ltr.10-1-14](#)

No one appeared; deny the appeal.

Referred to the City Council due back on 10/15/2014

- 6 [RLH VO 14-45](#) Appeal of Todd A. Erickson to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 2274 UNIVERSITY AVENUE WEST.

Sponsors: Stark

Attachments: [2274 University Ave W.appeal.9-8-14](#)
[2274 University Ave W.email to appellant re hearing date.9-8-14](#)
[2274 University Ave W.Photos.8-10-14](#)
[2274 University Ave W.Photos.7-18-14](#)
[2274 University Ave W.Photos.7-18-14](#)
[2274 University Ave W.Photos.8-19-14](#)
[2274 University Ave W.Erickson Ltr.9-18-14](#)
[2274 University Ave W.Revocation Order.9-29-14](#)
[2274 University Ave W.Photos.9-26-14](#)
[2274 University Ave W.More Photos.9-26-14](#)
[2274 University Ave W.Erickson Ltr.10-1-14](#)

Todd A. Erickson, Summit Amusement, responsible party, appeared.

Fire Inspector Leanna Shaff:

- first inspection took place a long time ago
- Inspector Spiering went out last Fri
- he documented 13 Orders on the list
- she had sent over photos; are explanatory
- would like to go through each Order:

#1- Fire Alarm System: there are several detectors installed throughout the building; provide required annual maintenance or remove the non-required detectors; in 2011, the Fire Dept was called to an alarm sounding; they found no fire and re-set the alarm; so, there's a false alarm; but it goes on to say that the building has no fire alarm system, no sprinkler system, etc. A fire alarm system is not required so, Mr. Erickson can remove all those detectors but if they are there, they need to be functional

#2- provide a material safety data sheet on all flammable, combustible liquids stored on the property and provide inspector with the quantity of each product being stored there

#3- exterior: immediately, remove debris that has accumulated around the exterior of the building

#4- roof: contact a qualified roofing contractor to inspect or evaluate the entire roof and provide the inspector with a copy of the report; any damaged portion of the roof must be repaired/replaced under permit (pictures)

#5- trailer and 2 vehicles, not actually on Mr. Erickson's property; zoning is currently B-3, which does not allow for outdoor storage; semi-trailer and utility trailer are considered, by definition, outdoor storage; immediately remove trailers or contact zoning representative for approval; if approved, all trailers must be parked on your property, not on adjacent property; also, there are 2 box trucks and a utility trailer parked in the alley with expired tabs (taken care of); however, both of those vehicles have cut battery cables and are inoperative

Mr. Erickson:

- remembers getting a letter from the city about a change in zoning but he is grandfathered; he called the Council Office and he is grandfathered into I-2

Ms. Shaff:

#7- replace the broken store front window glass

#8- replace missing or damaged ceiling tiles throughout the interior and maintain ceiling in good state of repair

#9- service all fire extinguishers

#10- immediately, reduce interior storage by 50%; provide orderly storage; provide and maintain aisles throughout the bldg so that the inspector can get to the exterior walls

#11- contact water restoration company to perform water restoration services on the interior of the building as a result of the leaking roof; mold, mildew growth on some walls

#12- hazardous materials being stored in a variety of containers; label each and every container with product specifics; some items are stored in milk jugs

#13- repair and maintain interior walls

Ms. Moermond:

- is seeing 2 new items on this list and some having been removed from the list: 1) proper hazardous material storage; and 2) disclose/label what's inside

Mr. Erickson:

- he did that on Sun

- some containers he uses only for water storage; took labels off and writes on the bottom of containers because it stays on better; they are chemicals used in the photo booth and generally stored inside the booths; they are not flammable: sodium sulfite-food grade
- because of his health, he is very cognizant hazardous materials
- both he and his son were present at the inspection; his son is not around a lot and has nothing to do with the building
- he bought the building in 1984 and he goes to inspections because he wants to know first hand what's going on
- went through some of the items:
- he will take down the fire alarms
- he has dealt with Ramsey Co on the hazmat stuff
- the exterior is all cleaned up
- have hired a contractor for the window; will have it done this week
- parking and zoning - being grandfathered-in needs to get straightened out
- LRT construction was so bad; it was like a mortar attack; it did damage to his building
- has started to put ceiling tiles back in
- contractor anticipates having things done this week
- knows he needs only 1 fire extinguisher
- is operating his business - bring photo booths to weddings and other events; this is a busy month; he also rebuilds photo booths
- his son or his wife will help him move things, if he needs them to; he also has piano movers (straps/carts) so that he can move things easily
- they have 90+% of the main room mold items taken down; has contractor
- plans to get the ceiling so that it doesn't leak; they have taken care of the walls
- talking to Sr. Commander Hall, Western District; those battery cables were cut; burglars were stealing copper; the car dealership on the corner is also having problems with stealing; Johnson Bros, next door, are also very concerned about the copper stealing
- plans to be finished within 1-2 months; will get the exterior done first
- if his neighbor says that it's OK for him to park his vehicles on the adjacent property, can he do so?

Ms. Moermond:

- that's between you and your neighbor; and if your neighbor has a zoning violation because of the vehicles you've parked there, your neighbor will have to deal with that (Inspector has not talked with the adjacent property owner); and it seems peculiar to be writing up something for the adjacent property within these Orders (???)
someone should be talking to the neighbor about this
- will give him a time certain to get things addressed and if that time isn't met, he will not be able to do business out of that building until his Fire Certificate of Occupancy is re-instated
- have the vehicles addressed by no later than Oct 10, 2014; if not, Mr. Smith will have them towed; she'll like to have a simultaneous Summary Abatement Order written to coincide with the Fire Correction Order - communicate that with the Western District
- have the balance of the Order all done by Nov 14, 2014; if not, you can't do business out of that building
- will not deal with the zoning issue here
- Fire Inspection staff will deal with the adjacent property
- in terms of the trailer being stored there, bring it to the Zoning Administrator; contact Corrine Tilley
- Code Enforcement Officer to issue Correction Notice (Summary Abatement Order) with a deadline of October 10, 2014 for the vehicles if not in compliance; grant until November 14, 2014 for remaining items to come into compliance

Referred to the City Council due back on 10/15/2014

- 7 [RLH VO 14-44](#) Appeal of Bee Vue to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 397 CASE AVENUE.

Sponsors: Brendmoen

Attachments: [397 Case Ave.appeal.9-8-14](#)
[397 Case Ave.Photos.9-2-14](#)
[397 Case Ave.Photos.8-7-14](#)
[397 Case Ave.Photos.8-1-14](#)
[397 Case Ave.Photos.7-1-14](#)
[397 Case Ave.C of O Issuance Letter.1-17-14](#)
[397 Case Ave.Inspector Timeline](#)
[397 Case Ave.Shee and Vue Ltr.9-17-14](#)
[397 Case Ave.Owner Photos.9-16-14](#)
[397 Case Ave.Hedquist Bldg Inspection.9-12-14](#)
[397 Case Ave.Photos.9-24-14](#)
[397 Case Ave.Revocation Order.9-29-14](#)
[397 Case Ave.Ubl Email.9-30-14](#)
[397 Case Ave.Vue Ltr.10-3-14](#)
[397 Case Ave-Revocation of Fire C of O & Order to Vacate](#)

Bee Vue and his wife Lamena, owners, appeared.

Paw Eh Shee, tenant, appeared.

Douangta Vang-Sitcler, Public Health Nurse Case Worker, appeared.

A Karen interpreter was also present.

Ms. Moermond:

- learned that the tenant is not understanding things; she has a country Karen dialect; and the interpreters have a city dialect; the bigger problem is her lack of understanding this whole inspection process; Ms. Moermond is afraid that she doesn't understand that a "Vacate Order" means that she and the other tenants will need to find another place to live

- she wanted today's interpreter and Paw Eh Shee to have a chance to talk about the last hearing; provided them with the minutes

- tenant will get her sister, Hsal Paw, on the phone and the interpreter will communicate with both; if at any point, the sisters do not understand, they will need to be clear about "what" they don't understand so that an explanation can be provided

- Recess was taken so that everyone could eat lunch

- LH reconvened at 1:17 pm

- first there will be reports on follow-up inspection done by Fire Inspectors Leanna Shaff and A. J. Neis

Fire Inspector Leanna Shaff:

- last Wed, the interior of this building was inspected by her, Inspector Neis, directed by Division Manager, Phil Owens; Mr. Vue was also present along with SPPD Officers Jereau and Polski

- will go thru the list:

- 1-when Insp Neis opened and closed the side door on the exterior east wall; the wall next to the door/window area moved; maybe the wall is not attached or coming parapet; it's possible that this movement may be from finishing material not being secured; Mr. Neis and Mr. Vue went onto the roof and found that the parapet wall moves significantly - a couple inches each way; that ties in with item #2
- 2- see photos; the boards on top of parapet are significantly rotted and do not seal the top of that parapet, as required by the building code
- 3- the front door is not weather tight; you can see daylight, especially at the top
- 4- the smoke detector is missing from the pink bedroom
- 5- CO alarm is missing from the SE bedroom
- 6- there's evidence of water damaged walls and ceiling; the water problem needs to be abated and the walls and ceiling need to be properly patched and painted
- 7- the laminated flooring in the kitchen and dining area is de-laminating
- 8- kitchen cabinets need to be repaired in an approved manner and be properly maintained
- 9- parapet wall: Fri Sep 26, she was at the property with the City Building Official Steve Ubl and City Engineer Brian Karpen; Orders say that the wood is peeling and curling on the NE side, leaving large gaps for water infiltration; repair this area to protect the water from infiltration; and seal the rolled roofing at the NE and NW corners (photos); Mr. Ubl stated in this am's E-mail: the rolled roofing that's been applied on the sides of the parapet wall have vertical seams that are not sealed; there appears to be flashing underneath the rolled roofing; the building permit was obtained to remove and replace the rotted boards; this appears to have been done but doesn't think that this work covers the fire Orders
- 12- provide and maintain suitable ground cover on all exterior areas to control erosion; ground cover needs to be established at the NW corner and rear yard; also the NW corner of the bldg has some significant grade change and a concentration of water flow -Mr. Ubl; that would need to be addressed; NW corner of bldg, there's a significant hill; that needs to be stabilized by either significant plant growth or steps of grade for water run-off; the photos show that plastic and wood chips won't do it
- repair and replace broken glass block on the front of the building; the grout has deteriorated and does not provide a seal

Ms. Moermond:

- wants to ask the sisters about a couple of the conditions listed in these Orders
- asked about the wall moving when closing exterior door; does the wall move
- asked if they knew what a parapet is
- was the smoke detector taken down from the pink bedroom?
- what happened with the CO alarm outside the SE bedroom?
- what about the water in the ceiling and the walls? Any problems lately?

Ms. Paw and sister on the phone:

- I think the door is good
- yes, they know what a parapet is
- they fixed the smoke detector already
- they only came and fixed it a few hours ago
- that's fixed already, too; there's no leaking water
- everything's OK

Mr. Vue:

- would like you to keep in mind that there were 4 Orders from before that needed to be done; they are here because of those 4 Orders
- a lot of what he heard today are new things
- the reason they went back to look at the inside is that there was a complaint about the heat and the electrical panel, assuming there was water infiltrating the electrical panel (that's why the decision was made to have the inspector go back and do an

interior evaluation, as you remember)
- there was an interior inspection in Jan 2014

Ms. Moermond:

- she remembers it differently; she remembers that there hadn't been an interior inspection in a while and that was something that she was looking for in order to keep this thing going

Mr. Vue:

- the issues were the leaking electrical panel and also the heating system; we were looking at those 2 issues; however, we went everywhere else except at those 2 issues that came out during the last hearing; he thought the re-inspection was to make sure that those 2 items weren't issues

Ms. Vang-Sitcler:

- she did not say electrical panel at the last hearing because she would not have know to say that; the tenants had told her that there was some leaking and it might have effected the electrical system, in general; that's what they thought

Ms. Moermond:

- additionally, Fire Inspectors told her that they had not been inside the place since Jan 2014 so they wanted to check it as well

Mr. Vue:

- was glad that the inspectors came inside to evaluate
- go thru Sep 29 list
- 1- re moving wall when door opens/closes: he wasn't aware of that but he had pulled a permit for the Order given by Ms. Shaff; he attached it to the building permit; when the inspector came out, he took him to look at the window and the wall and asked if he had any concern with that wall and according to him, he had no concern about the wall; Nathan (bldg inspector) said that the window was made to move like that; doesn't know why Steve Ubl had to come out; should have the building inspector for that area come out to do the evaluation
- 2- the building inspector also had no problem with the parapet wall on top; Mr. Vue could not move it; in 2010, they put the board up there and it was approved by the city; Inspector Nathan and he saw the rooted wood when they went up there and he took care of it; inspector came back and he was OK with what was done
- 3- will take care of the weather-stripping
- 4- according to the Fire Dept and Bldg Code, a smoke detector is only required on the outside of the bedroom but Mr. Neis wants it on the inside of bedrooms (because the building has been thru a full code compliance inspection); that wasn't brought up until this last inspection
- 5- CO alarms: there was an alarm there a couple days earlier but it wasn't there on this last inspection; he asked the tenant about it but couldn't get a clear answer; we took care of that, too
- 6- there is a swell on the wall in that one area from past history of leaking water; there's no evidence on top; they had not seen that swell and Inspector Shaff didn't see it either so, it was painted over; this time, Inspector Neis spotted the swell; Mr. Vue told him that it was from a previous leak; they will go back, escape off the paint and take care of it; there's no evidence on the roof line of current leaks
- 7- kit-din flooring: we just put in that laminate when the tenant moved in; some of those tends to scrape off a little; it's not a safety issue but he will take care of it; the burn pattern looks like the tenants put something hot on it
- 8- kit cabinet doors - photos show swell on top: when tenants do dishes, they put the wet towel over the door, so, it swells; they will replace those doors

Ms. Moermond:

- suggested putting towel racks inside the door
- asked tenant how long they intended to stay at this house

Ms. Paw:

- they signed lease for 1 year until Feb 2015 and they intend to stay there that long
- living there are 7 adults; 3 teenagers; and 2 infants

Mr. Vue:

- 9- when they went outside, he asked Ms. Shaff what else she needed to be done; she refused to tell him at that time; they went to the back and he asked Ms. Shaff again, "Explain to me while these other people are here what you want me to do; maybe they can clarify for me." Her answer was that Mr. Owens will tell him; she is the inspector and he would expect her to let him know; if he doesn't understand, he needs clarification; he has called Mr. Owens and left messages to call me back; he hasn't called back yet

Ms. Moermond:

- understands that Mr. Vue wanted the building inspector out there; however, when things get tense and there's complaints going on, the natural way for things to go is upward; so, you can't have a subordinate correcting a supervisor's determination; you have to have a manager reviewing things

Mr. Vue:

- will always cooperate and do what he needs to do as long as he knows what he is supposed to do
- again, parapet wall: in the Orders it stated clearly that there is shipping paint, wood curling; - he didn't see any paint at all; the wall was green treated

Ms. Moermond:

- in the photo, it looked like the wood had literally, opened up

Mr. Vue:

- his hired inspector said that they were green treated and did not need to be painted; the building inspector also said that; he said there was no water intrusion; the building inspector confirmed that and he didn't require Mr. Vue to paint it or do anything to it; the piece that was going over was curling at the end but it wasn't doing anything to the wall and they cut it out; he gave her a photo of that
- he doesn't argue with the building inspector

Ms. Moermond:

- there was a difference of opinion on that
- the building official, Steve Ubl, has reviewed the situation and made a determination that the permit that you pulled did not cover all of the repairs that needed to be undertaken, according to the Fire Orders; and that additional work needed to be done
- the building inspector reports to the building official, your building inspector's boss; we have to go with what the boss says
- we wanted to get a clean look on the outside and a clean list on the inside and tackle it fresh

Mr. Vue:

- he asked Mr. Owens if he should pull a permit and he said that he didn't need to

Ms. Moermond:

- moving forward, you pull the permit for this work; Mr. Ubl thinks you need another permit to do additional work that wasn't covered

Mr. Vue;

- 10- will send another Smoke Detector affidavit
- 12- the ground cover is something new
- re the sandbags: the tenants has them there to put in back of the truck for extra weight; they were not there to hold anything back
- 13- they had not seen that grout was missing in the front; will take care of it

Ms. Shaff:

- the building code requires that the permit holders (contractors) submit code compliant plans so they make sure the permit complies with the plan; they are also charged by the building code to inspect to the permit, which re the parapet wall, he pulled a permit for removing the rotted wood and nothing more
- the parapet wall is not correct at all, typically, using rolled roofing to go up and over a wall isn't allowed; you won't have the rolled roofing go over the flashing; it's not sealed at the seams, allowing water infiltration; the rolled roofing is bulging (photos); the insulation wasn't code compliant; the code requires that they be sealed weather tight; this parapet wall is not; and typically, you are looking at a cap at the top, not treated wood
- there are many ways to make a building code compliant; there are ways to approve alternate methods
- the city cannot design it or tell the property owner how they are supposed to do that; it's up to the person doing the work, the permit holder, to supply code compliant plans to obtain the permit
- Mr. Vue has tubes of sand cemented into his water run-off solution; it's fixed in (photo)

Mr. Neis:

- the statements that Mr. Vue made in regards to sandbags being used for traction were less than truthful; has photos that show sand in the tubes that are used for traction, here are actually grouted into the ground (Mr. Vue, "No.")

Ms. Shaff:

- it looks as though the smoke detector was removed; bracket is there
- this building went thru a whole code compliance inspection and smoke detectors would be required to be inside all sleeping rooms and directly outside each one

Mr. Vue:

- they want to say that he put the sandbags there as a permanent thing but that was not his intention; the sandbag just happened to be there; when they poured the concrete, the sandbag was just used as a guide for the wet concrete; when they were done, they took the sandbag away; it was not to be a permanent fixture
- Ms. Shaff said that he had pulled a permit to remove the rotted wood; that is false; there's nothing on the permit that says that; on the permit, he stated that is was specifically for the items that were on the list; he can email the permit, if needed; he hadn't been on the roof to even know there was rotted wood up there until the day that Inspector Neis and Mr. Vue went up there; and he took care of that
- re what has been done to the parapet wall: if the building inspector had a problem with what was done, he would have told him and he would have done it differently; right now, the parapet wall and cap is up to code according to the building inspector

Ms. Moermond:

- feels like we're beating a dead horse
- the building inspector has been up there and looked at some things, not all things
- the building official says that there's other things that need to be done
- this is not contradictory

- there's a difference of opinion on some things:

1) #1 the East Wall and doing the repair - will be decided by the building official, Steve Ubl, not the building inspector; Mr. Ubl is saying that the Orders are accurate

2) the roof

3) #6- would like to discuss further about the damage to the sheet rock, walls and ceiling

- there is some agreement on the parapet wall

- tensions have been raised enough with Mr. Vue taking issue with the supervisors and with Mr. Owens that it's not going to be resolved by a fire or building inspector on the street; we need to go with the person where the buck stops

- there still are issues and Mr. Vue is disagreeing with what constitutes a problem and what doesn't

- her bottom line is that this place needs to become code compliant and if it is humanly possible, would like the tenants to be able to stay and live there while the repairs are taking place

- when Orders are written for a building to come into compliance and those Orders are not addressed, the city has some options to compel compliance: 1) to Revoke the C of O; 2) to continue down the line and re-issue and re-issue Orders; or 3) do a Criminal Citation

Mr. Vue:

- is willing to do the work; he will take care of it

Ms. Shaff:

- re the interior walls and ceilings: photos show patching multiple times in multiple places in less than a professional manner; she is not sure that the roof doesn't leak; she thinks that it might; who knows? She would like the sheetrock to be in a professional state of repair

Ms. Moermond:

- will grant the appeals based on these conditions: grant until October 24, 2014 to address the interior items; grant until January 1, 2015 for the balance of the exterior items with the exception of the erosion control which is granted until June 1, 2015

- if Mr. Vue meets this work plan totally, the tenants can stay living there

- inspection for interior items will take place no sooner than Oct 27

- the whole roof needs to be repaired because the roof wasn't properly installed to begin with (not according to manufacturer's specifications); incorrect installation will lead to leaking and there has been significant leaking over time

Mr. Vue:

- worries that he might not be able to get an inspector out there; would like an inspector to look at the work; in the past, the inspector has refused to come out

Ms. Moermond:

- you have 3 months to get most of the exterior work done (except erosion)

- if Mr. Vue has a problem with this, we will send him directly to the Assistant Fire Marshall, Phil Owens; he will be assigning staff to work on this; it's his call

- the City Council Public Hearing is scheduled for Oct 15, 2014; if an interpreter is needed, call a week ahead of time

Referred to the City Council due back on 10/15/2014

8 [RLH VO 14-46](#)

Appeal of Paw Eh Shee to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 397 CASE AVENUE.

Sponsors: Brendmoen

Attachments: [397 Case Ave.Appeal.9-5-14](#)
[397 Case Ave.Photos.9-2-14](#)
[397 Case Ave.Photos.8-7-14](#)
[397 Case Ave.Photos.8-1-14](#)
[397 Case Ave.Photos.7-1-14](#)
[397 Case Ave.C of O Issuance Letter.1-17-14](#)
[397 Case Ave.Shee and Vue Ltr.9-17-14](#)
[397 Case Ave.Photos.9-24-14](#)
[397 Case Ave.Revocation Order.9-29-14](#)
[397 Case Ave.Ubl Email.9-30-14](#)
[397 Case Ave.Vue Ltr.10-3-14](#)
[397 Case Ave-Revocation of Fire C of O & Order to Vacate](#)

Bee Vue and his wife Lamena, owners, appeared.

Paw Eh Shee, tenant, appeared.

Douangta Vang-Sitcler, Public Health Nurse Case Worker, appeared.

A Karen interpreter was also present.

Ms. Moermond:

- learned that the tenant is not understanding things; she has a country Karen dialect; and the interpreters have a city dialect; the bigger problem is her lack of understanding this whole inspection process; Ms. Moermond is afraid that she doesn't understand that a "Vacate Order" means that she and the other tenants will need to find another place to live
- she wanted today's interpreter and Paw Eh Shee to have a chance to talk about the last hearing; provided them with the minutes
- tenant will get her sister, Hsal Paw, on the phone and the interpreter will communicate with both; if at any point, the sisters do not understand, they will need to be clear about "what" they don't understand so that an explanation can be provided
- Recess was taken so that everyone could eat lunch
- LH reconvened at 1:17 pm
- first there will be reports on follow-up inspection done by Fire Inspectors Leanna Shaff and A. J. Neis

Fire Inspector Leanna Shaff:

- last Wed, the interior of this building was inspected by her, Inspector Neis, directed by Division Manager, Phil Owens; Mr. Vue was also present along with SPPD Officers Jereau and Polski
- will go thru the list:
 - 1-when Insp Neis opened and closed the side door on the exterior east wall; the wall next to the door/window area moved; maybe the wall is not attached or coming parapet; it's possible that this movement may be from finishing material not being secured; Mr. Neis and Mr. Vue went onto the roof and found that the parapet wall moves significantly - a couple inches each way; that ties in with item #2
 - 2- see photos; the boards on top of parapet are significantly rotted and do not seal the top of that parapet, as required by the building code
 - 3- the front door is not weather tight; you can see daylight, especially at the top
 - 4- the smoke detector is missing from the pink bedroom
 - 5- CO alarm is missing from the SE bedroom
 - 6- there's evidence of water damaged walls and ceiling; the water problem needs to

be abated and the walls and ceiling need to be properly patched and painted

- 7- the laminated flooring in the kitchen and dining area is de-laminating
- 8- kitchen cabinets need to be repaired in an approved manner and be properly maintained
- 9- parapet wall: Fri Sep 26, she was at the property with the City Building Official Steve Ubl and City Engineer Brian Karpen; Orders say that the wood is peeling and curling on the NE side, leaving large gaps for water infiltration; repair this area to protect the water from infiltration; and seal the rolled roofing at the NE and NW corners (photos); Mr. Ubl stated in this am's E-mail: the rolled roofing that's been applied on the sides of the parapet wall have vertical seams that are not sealed; there appears to be flashing underneath the rolled roofing; the building permit was obtained to remove and replace the rotted boards; this appears to have been done but doesn't think that this work covers the fire Orders
- 12- provide and maintain suitable ground cover on all exterior areas to control erosion; ground cover needs to be established at the NW corner and rear yard; also the NW corner of the bldg has some significant grade change and a concentration of water flow -Mr. Ubl; that would need to be addressed; NW corner of bldg, there's a significant hill; that needs to be stabilized by either significant plant growth or steps of grade for water run-off; the photos show that plastic and wood chips won't do it
- repair and replace broken glass block on the front of the building; the grout has deteriorated and does not provide a seal

Ms. Moermond:

- wants to ask the sisters about a couple of the conditions listed in these Orders
- asked about the wall moving when closing exterior door; does the wall move
- asked if they knew what a parapet is
- was the smoke detector taken down from the pink bedroom?
- what happened with the CO alarm outside the SE bedroom?
- what about the water in the ceiling and the walls? Any problems lately?

Ms. Paw and sister on the phone:

- I think the door is good
- yes, they know what a parapet is
- they fixed the smoke detector already
- they only came and fixed it a few hours ago
- that's fixed already, too; there's no leaking water
- everything's OK

Mr. Vue:

- would like you to keep in mind that there were 4 Orders from before that needed to be done; they are here because of those 4 Orders
- a lot of what he heard today are new things
- the reason they went back to look at the inside is that there was a complaint about the heat and the electrical panel, assuming there was water infiltrating the electrical panel (that's why the decision was made to have the inspector go back and do an interior evaluation, as you remember)
- there was an interior inspection in Jan 2014

Ms. Moermond:

- she remembers it differently; she remembers that there hadn't been an interior inspection in a while and that was something that she was looking for in order to keep this thing going

Mr. Vue:

- the issues were the leaking electrical panel and also the heating system; we were looking at those 2 issues; however, we went everywhere else except at those 2

issues that came out during the last hearing; he thought the re-inspection was to make sure that those 2 items weren't issues

Ms. Vang-Sitcler:

- she did not say electrical panel at the last hearing because she would not have know to say that; the tenants had told her that there was some leaking and it might have effected the electrical system, in general; that's what they thought

Ms. Moermond:

- additionally, Fire Inspectors told her that they had not been inside the place since Jan 2014 so they wanted to check it as well

Mr. Vue:

- was glad that the inspectors came inside to evaluate
- go thru Sep 29 list
- 1- re moving wall when door opens/closes: he wasn't aware of that but he had pulled a permit for the Order given by Ms. Shaff; he attached it to the building permit; when the inspector came out, he took him to look at the window and the wall and asked if he had any concern with that wall and according to him, he had no concern about the wall; Nathan (bldg inspector) said that the window was made to move like that; doesn't know why Steve Ubl had to come out; should have the building inspector for that area come out to do the evaluation
- 2- the building inspector also had no problem with the parapet wall on top; Mr. Vue could not move it; in 2010, they put the board up there and it was approved by the city; Inspector Nathan and he saw the rooted wood when they went up there and he took care of it; inspector came back and he was OK with what was done
- 3- will take care of the weather-stripping
- 4- according to the Fire Dept and Bldg Code, a smoke detector is only required on the outside of the bedroom but Mr. Neis wants it on the inside of bedrooms (because the building has been thru a full code compliance inspection); that wasn't brought up until this last inspection
- 5- CO alarms: there was an alarm there a couple days earlier but it wasn't there on this last inspection; he asked the tenant about it but couldn't get a clear answer; we took care of that, too
- 6- there is a swell on the wall in that one area from past history of leaking water; there's no evidence on top; they had not seen that swell and Inspector Shaff didn't see it either so, it was painted over; this time, Inspector Neis spotted the swell; Mr. Vue told him that it was from a previous leak; they will go back, escape off the paint and take care of it; there's no evidence on the roof line of current leaks
- 7- kit-din flooring: we just put in that laminate when the tenant moved in; some of those tends to scrape off a little; it's not a safety issue but he will take care of it; the burn pattern looks like the tenants put something hot on it
- 8- kit cabinet doors - photos show swell on top: when tenants do dishes, they put the wet towel over the door, so, it swells; they will replace those doors

Ms. Moermond:

- suggested putting towel racks inside the door
- asked tenant how long they intended to stay at this house

Ms. Paw:

- they signed lease for 1 year until Feb 2015 and they intend to stay there that long
- living there are 7 adults; 3 teenagers; and 2 infants

Mr. Vue:

- 9- when they went outside, he asked Ms. Shaff what else she needed to be done; she refused to tell him at that time; they went to the back and he asked Ms. Shaff

again, "Explain to me while these other people are here what you want me to do; maybe they can clarify for me." Her answer was that Mr. Owens will tell him; she is the inspector and he would expect her to let him know; if he doesn't understand, he needs clarification; he has called Mr. Owens and left messages to call me back; he hasn't called back yet

Ms. Moermond:

- understands that Mr. Vue wanted the building inspector out there; however, when things get tense and there's complaints going on, the natural way for things to go is upward; so, you can't have a subordinate correcting a supervisor's determination; you have to have a manager reviewing things

Mr. Vue:

- will always cooperate and do what he needs to do as long as he knows what he is supposed to do
- again, parapet wall: in the Orders it stated clearly that there is shipping paint, wood curling; - he didn't see any paint at all; the wall was green treated

Ms. Moermond:

- in the photo, it looked like the wood had literally, opened up

Mr. Vue:

- his hired inspector said that they were green treated and did not need to be painted; the building inspector also said that; he said there was no water intrusion; the building inspector confirmed that and he didn't require Mr. Vue to paint it or do anything to it; the piece that was going over was curling at the end but it wasn't doing anything to the wall and they cut it out; he gave her a photo of that
- he doesn't argue with the building inspector

Ms. Moermond:

- there was a difference of opinion on that
- the building official, Steve Ubl, has reviewed the situation and made a determination that the permit that you pulled did not cover all of the repairs that needed to be undertaken, according to the Fire Orders; and that additional work needed to be done
- the building inspector reports to the building official, your building inspector's boss; we have to go with what the boss says
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charged by the building code to inspect to the permit, which re the parapet wall, he pulled a permit for removing the rotted wood and nothing more

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- the city cannot design it or tell the property owner how they are supposed to do that; it's up to the person doing the work, the permit holder, to supply code compliant plans to obtain the permit
- Mr. Vue has tubes of sand cemented into his water run-off solution; it's fixed in (photo)

Mr. Neis:

- the statements that Mr. Vue made in regards to sandbags being used for traction were less than truthful; has photos that show sand in the tubes that are used for traction, here are actually grouted into the ground (Mr. Vue, "No.")

Ms. Shaff:

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- this building went thru a whole code compliance inspection and smoke detectors would be required to be inside all sleeping rooms and directly outside each one

Mr. Vue:

- they want to say that he put the sandbags there as a permanent thing but that was not his intention; the sandbag just happened to be there; when they poured the concrete, the sandbag was just used as a guide for the wet concrete; when they were done, they took the sandbag away; it was not to be a permanent fixture
- Ms. Shaff said that he had pulled a permit to remove the rotted wood; that is false; there's nothing on the permit that says that; on the permit, he stated that is was specifically for the items that were on the list; he can email the permit, if needed; he hadn't been on the roof to even know there was rotted wood up there until the day that Inspector Neis and Mr. Vue went up there; and he took care of that
- re what has been done to the parapet wall: if the building inspector had a problem with what was done, he would have told him and he would have done it differently; right now, the parapet wall and cap is up to code according to the building inspector

Ms. Moermond:

- feels like we're beating a dead horse
- the building inspector has been up there and looked at some things, not all things
- the building official says that there's other things that need to be done
- this is not contradictory
- there's a difference of opinion on some things:
 - 1) #1 the East Wall and doing the repair - will be decided by the building official, Steve Ubl, not the building inspector; Mr. Ubl is saying that the Orders are accurate
 - 2) the roof
 - 3) #6- would like to discuss further about the damage to the sheet rock, walls and ceiling
- there is some agreement on the parapet wall
- tensions have been raised enough with Mr. Vue taking issue with the supervisors and with Mr. Owens that it's not going to be resolved by a fire or building inspector on the street; we need to go with the person where the buck stops
- there still are issues and Mr. Vue is disagreeing with what constitutes a problem and

what doesn't

- her bottom line is that this place needs to become code compliant and if it is humanly possible, would like the tenants to be able to stay and live there while the repairs are taking place
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Mr. Vue:

- is willing to do the work; he will take care of it

Ms. Shaff:

- re the interior walls and ceilings: photos show patching multiple times in multiple places in less than a professional manner; she is not sure that the roof doesn't leak; she thinks that it might; who knows? She would like the sheetrock to be in a professional state of repair

Ms. Moermond:

- will grant the appeals based on these conditions: grant until October 24, 2014 to address the interior items; grant until January 1, 2015 for the balance of the exterior items with the exception of the erosion control which is granted until June 1, 2015
- if Mr. Vue meets this work plan totally, the tenants can stay living there
- inspection for interior items will take place no sooner than Oct 27
- the whole roof needs to be repaired because the roof wasn't properly installed to begin with (not according to manufacturer's specifications); incorrect installation will lead to leaking and there has been significant leaking over time

Mr. Vue:

- worries that he might not be able to get an inspector out there; would like an inspector to look at the work; in the past, the inspector has refused to come out

Ms. Moermond:

- you have 3 months to get most of the exterior work done (except erosion)
- if Mr. Vue has a problem with this, we will send him directly to the Assistant Fire Marshall, Phil Owens; he will be assigning staff to work on this; it's his call
- the City Council Public Hearing is scheduled for Oct 15, 2014; if an interpreter is needed, call a week ahead of time

Referred to the City Council due back on 10/15/2014

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 9** [RLH FCO 14-145](#) Appeal of Gerd Bents to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 777 SELBY AVENUE.

Sponsors: Thao

Attachments: [777 Selby Ave.appeal.9-19-14](#)
 [777 Selby Ave.Photos.9-30-14](#)
 [777 Selby Ave.Bents Ltr sent.10-2-14](#)
 [777 Selby Ave.Bents Ltr.10-2-14](#)

Grant the appeal.

Gerd Bents, Transforming Community LLC, appeared.

Fire Inspector Leanna Shaff:

- re-inspection of a Fire Certificate of Occupancy on Sep 8, 2014 by Inspector Sebastian Migdahl
- item #4 is being appealed: provide, repair or replace the fire rated door and assembly; minimum rated must be 20 minutes
- Inspector Migdahl call this out of the Fire Code; however, it's a remodeling project and there are current Correction Orders out on the open permit by Inspector Todd Sutter that specifically say that 20 minute fire doors are required

Ms. Moermond:

- asked about the mixed use

Fire Inspector A. J. Neis:

- previously, this building was a mixed use occupancy in which there were 4 residential units upstairs with commercial space downstairs; after that, it was converted to basically, all offices; by the conversion, it lost it's legal nonconforming use so, the doors that were once approved as 20 minute doors were no longer compliant under the current code
- Inspector Migdahl explained to Mr. Bents that since the building was going through a full renovation, those doors would need to be replaced

Mr. Bents:

- the inspectors suggested that he come to appeal those doors
- those doors have been hanging on those hinges since the building was built
- he does not question the Orders
- he is asking for some leniency because of the nature in which they have restored the 3 residential apartments upstairs
- all the original woodwork is still intact from when the building was built, including the doors to match; it would be extremely challenging to replicate, replace them in a 20 minute fire door
- simply asking for leniency; he would hate to change out those doors; will be happy to replace the closers

Ms. Moermond:

- viewed Mr. Bents' photos

Mr. Bents:

- there are 2 closet doors; 2 doors lead to one apartment; and 2 lead to the other two apartments
- will replace the porch doors-fire rated; a porch addition was added, probably in the 60s or 70s
- nearly complete with the Orders

Ms. Moermond:

- will recommend granting the appeal

Referred to the City Council due back on 10/15/2014

2:30 p.m. Hearings

Vacant Building Registrations

10 [RLH VBR 14-73](#) Appeal of Yan Chen to a Vacant Building Registration Notice at 1275 MACKUBIN STREET.

Sponsors: Brendmoen

Attachments: [1275 Mackubin St.appeal.9-23-14](#)
[1275 Mackubin St.email to Appellant re hearing.9-23-14](#)
[1275 Mackubin St.Photos.9-10-14](#)

Yan Chen, owner, and Paul Heins, appeared.

Inspector Matt Dornfeld, Vacant Buildings:

- he opened a Category 2 Vacant Building on Sep 10, 2014 per Certificate of Occupancy Revocation by Fire Inspector Perrier, assisted by Inspector A. J. Neis
- a full rehab is going on
- it appeared that the work had been slowed and possibly some work was done without permits, according to the Fire Inspectors
- it also appears that they had a rough time making contact; they ended up Revoking the C of O due to general lack of maintenance on the exterior (photos) and work being done without permits
- lots of open remodeling issues, according to the Revocation letter

Ms. Chen:

- this was supposed to be a small project - adding a garage
- she mowed the lawn at this property in the front and side according to her own home lawn mowing schedule; she left the back because they were building the garage
- she did not receive a letter saying she should mow her lawn; the first letter she received was to Revoke the C of O; no one was living there
- Paul started to build the garage and then, he had a motorcycle accident

Mr. Heins:

- on Jun 22, 2014, a motorist went through a red light and he and his motorcycle were struck; he spent 3 days in the hospital
- at that time, the project was going quite well; they excavated and put in block work, etc. and they were putting the trusses in place when he had his accident; he could no longer work on the garage because of his condition; they started to hire some stuff out but they wanted to get the roof on before the weather got bad; just this last week, he was able to work again and they got all the soffit work done
- right now, they just want to keep it out of the VB Program; they can now continue to move forward and get it all closed up
- will get the garage doors on to make the house look more finished

Ms. Moermond:

- what's up with all the tarps and the full dumpster?

Mr. Heins:

- he asked to have tarps put on because people were using the property as their own dumping site but the wind blew it off
- want to get the exterior done before freezing
- they are constantly having to throw things away
- the photos of the dumpster are deceiving because there is a lot of empty space in it; he rearranged the material in there so it doesn't look so full any more
- plans to have the job done in 2 months
- permits have been pulled

Mr. Dornfeld:

- thinks that a 90 day waiver is more than fair
- thinks that they would like to address whether this is a Cat 2 or a Cat 1 VB

Ms. Moermond:

- go ahead and finish the work; get it done in 90 days
- keep the property nice and neat with no signs of problems, code wise
- it will be a Cat 1 with no VB fee

Ms. Chen:

- they plan to sell it or rent it
- they want to keep it a nice property

Mr. Dornfeld:

- explained that they need to make sure if they are planning to work with a wire, a vent or a pipe, they need to address those issues with a specific permit and a licensed professional; suggested that they ask their building inspector, Virgil Thomas; if you do not need further permits and Virgil does sign the building permit, then you would be out of the VB Program

Ms. Moermond:

- Change to a Category 1 Vacant Building and waive the Vacant Building fee for 90 days. (NOTE: must pull permits, if necessary.)

Referred to the City Council due back on 10/15/2014

- 11 [RLH VBR 14-72](#) Appeal of Vang Xiong to a Vacant Building Registration Renewal Notice at 841 ROSE AVENUE EAST.

Sponsors: Bostrom

Attachments: [841 Rose Ave E.appeal.9-22-14](#)
[841 Rose Ave E.email to Appellant re hearing date.9-22-14](#)
[841 Rose Ace E.Photos.10-16-12](#)
[841 Rose Ave E.Xiong Ltr.10-2-14](#)

Vang Xiong, owner, appeared.

Inspector Matt Dornfeld, Vacant Buildings:

- opened a Category 2 Vacant Building on Oct 16, 2012
- Ms. Xiong went through the Sale Review Process and was approved Dec 23, 2013
- current permits: building, plumbing and mechanical
- electric permit has been finalized
- the annual VB fee will be due Oct 16, 2014 for the 2014-2015 year

Mr. Xiong:

- purchased property Jan 1, 2014
- pulled a permit to remodel per code violations
- electric is finalized heating permit finalized; plumbing will be finalized tomorrow
- everything is done

Ms. Moermond:

- will recommend the Council waive the VB fee for 90 days, anticipating the work will be completed in the very near future.

Referred to the City Council due back on 10/15/2014