

WRA-1276, LLC
1701 MADISON STREET NE, SUITE 111
MINNEAPOLIS, MN 55413

April 28, 2021

City Council of the City of St. Paul
15 WEST Kellogg Boulevard
St. Paul, MN 55102

In Re: 1276 Wilson- Unit 128 Michelle Baker

TESTIMONY IN THE MATTER OF LEGISLATIVE HEARING CONDUCTED ON APRIL 13, 2021

To the Honorable Council:

On April 13, 2021, the undersigned appeared telephonically before Marcia Moermond to review outstanding orders in connection with inspection for Unit #128 occupied by Michelle Baker.

Ms. Baker is a mentally ill vulnerable adult for whom we are sympathetic, but whom is not fit to habitate in general population housing.

Our legal counsel is now working to have a Guardian Ad Litem appointed to attend to Ms. Baker's needs. She has 8-10 mental health care workers but is presently in control of her person. They are powerless to effect control. We have alerted Ramsey County Social Services and filed a Vulnerable Adult assessment since she is unable to maintain sanitary home, and is a danger to herself, other residents and particularly young children at our property. Were it not for the Eviction ban, Tenant would have been evicted for multiple documented occasions of property damage and other critical lease violations, but sympathy for tenants' mental condition and a lack of alternative housing options with an eviction record on file have made tenant this Landlord's problem to endure. This nightmare is on-going for five months.

Background:

Ms. Baker receives Metro HRA voucher funding and this unit passed Metro HRA inspection when she first moved in with no damage to closets, cabinets, ceiling, floors, screens or flooring. The Kitchen which has been ruined had brand new plank flooring, cabinets and granite countertops when Ms. Baker moved in the Fall of 2020.

On January 20, 2021 Inspector James Thomas condemned the unit in question due to gross unsanitary conditions, open ceiling damage caused by tenant, and broken closet doors and cabinets caused by tenant.

Tenant was behaving irrationally and had multiple electrical appliances plugged in near the kitchen sink that was plugged full due to grease and other filth. To protect the tenant upon

posting of the condemnation, we disconnected electrical power to prevent the tenant from electrocuting herself, since she had barricaded the door, changed the locks and would not allow entrance. 48 hours later, we were able to gain access to the unit and restored electricity after clearing the sink drain.

On January 30, 2021 Ramsey County provided sanitation workers to provide a super cleaning of the unit. They did not make the unit repairs – only cleaned. On February 3, 2021 Inspections Supervisor Shaff ordered water service restored to the condemned unit, rather than enforce the condemnation and order the tenant to vacate the premises. Water restoration was complied with. Tenant appealed the Condemnation and Appellant opposed the lifting of the condemnation. Inspections ordered the condemnation lifted on the basis of the cleaning – ignoring ceiling damage with is a fire code violation.

This tenant has plugged her tub drain in excess of 17 times since February, and has flooded her bedroom on each of those occasions. Upon the posting of the condemnation orders – we cut water off to the kitchen sink and the tub, but not her toiler nor the bathroom sink, to prevent flooding and damage to adjacent units.

On February 5, 2021 a legislative hearing was conducted and Appellant was ordered to make life-safety damage caused by tenant. This include repairing he ceiling damage and repairing a battery-operated “extra” smoke detector that was not a code required device. March 1, 2021 deadline for compliance was set. Appellant complied with the life safety repairs but declined to make the non-life-safety repairs on the basis that tenant will continue to re-damage the unit.

On April 1, 2021, Inspector Thomas returned to find the life safety items complied with but not the non-life-safety items. New orders were issued and an appeal filed by Appellant. A second legislative hearing was held on April 16, 2021. Ms. Moermond made a recommendation for enforcement of all orders by April 30, 2021. Appellant continues to object to performing non-life-safety repairs that tenant will re-damage due to her mental illness.

Record of Unit Status:

The Appellant states for the record that no life safety violations are outstanding in this unit. To correct the erroneous record established by Ms. Moermond:

1. Ceiling damage caused by tenant was corrected on March 1, 2021.
2. Tenant plugging of tub drain was corrected on **March 1, 2021, March 5, 2021, March 7, 2021, March 12, 2021, March 18, 2021, March 24, 2021, April 3, 2021, April 5, 2021, April 10, 2021, April 14, 2021, April 19, 2021, April 26, 2021**. Tenant systemically plugs the drain and floods her unit in an effort to cause damage to the unit. **See most recent video from April 26, 2021 included in testimony.**
3. The battery-operated “extra” smoke detector that tenant has disabled on three occasions because she smokes in the unit, was removed on April 3, 2021. A no time during tenant occupancy has the hard-wired smoke detector connected to our master fire alarm system ever been disconnected. Inspector Thomas mad an error in

determining the battery-operated detector was the sole qualifying detector in the unit and missed that our hard wire detector was intact. It has a tampering switch so tenant would set off the entire building alarm if she removed it. **See most recent video from April 26, 2021, included in testimony.**

4. Tenant repeatedly leaves tub running and floods her unit systemically to cause damage. **See most recent video from April 26, 2021, included in testimony.**
5. Tenant has been fined **five times** since January for **propping fire doors open** in violation of the State Fire Code, to allow gentlemen visitors to her unit. We suspect Ms. Baker exchanges sexual favors for money.
6. Tenant has opened her tub access panel on multiple occasions and **purposely cut a pipe to facilitate more flooding in her unit.** Tenant's counsel claims she does not possess the equipment to perform this damage, but a simple hack saw is all that was needed to cut the pipe.
7. On no less than **six occasions Ms. Baker has drunkenly solicited sex from** our maintenance staff such that we must send a crew of two to each service call to her unit – so that we can video document the visit.
8. Tenant **repeatedly dumps her garbage in our hallways** and corridors and has been fined six times for such violations. See photos/videos of tenant dumping in action.
9. Tenant has **changed the locks on her door on three separate occasions** – including once requiring Inspector Thomas to return for a second trip in early January.
10. Tenant repeatedly runs up and down the corridors at all times of day and night naked. This is not a healthy situation for children.
11. **Tenant assaulted the US Postal Worker on Thursday, April 22,2021 and mail service to the building has been suspended.**
12. Tenant has called the St. Paul Police Department on no less than five occasions in the last four months for a variety of unsubstantiated complaints alleging unforced entry by strangers unknown.
13. **Tenant was video taped by our staff soliciting minors from the building come into her unit to conduct a party or other form of internet entertainment. Video and audio is provided for the record.**
14. Video of the current unit conditions are providing for the record to demonstrate grossly unsanitary conditions in the unit that attract vermin, disease and health hazards to others.

15. Counsel for Ms. Baker has tried to claim the cumulative damage could not have been done by Ms. Baker, but she possesses a number of hand tools that permits her to conduct repeated damage to our property and her unit.

Appeal Request:

The Appellant objects to correcting the non-life safety orders in the unit which are undeniably tenant caused and will continue to be caused by tenant, until the Tenant is either evicted or vacates the unit voluntarily. Appellant hereby requests indefinite completion of the following non-life safety damage caused by tenant until such time as tenant vacates the unit:

1. Repair of new closet doors damaged by Tenant.
2. Repair of new kitchen cabinet door damaged by Tenant.
3. Repair of new kitchen vinyl floor damaged by tenant moving refrigerator to living room.

Appellant Statement:

Appellant is appealing the eviction rejection from early April 2021, and the Court has yet to file a Finding of Fact and conclusion of law, so the appeal is pending. Appellant is also opposing Ms. Baker's legal counsel effort to vacate her eviction record. When asked by Ms. Baker's legal counsel "Why not just let MS. Baker move on by removing the eviction..." we respond as follows:

Appellant is part of a property management group that responsibly develops and manages over 1,000 units of affordable housing with over 30 years of experience delivering quality housing. Simply stated the eviction moratorium has caused a moral hazard in which tenants like this are thrust upon the private sector to subsidize and tolerate. While it would be easy to put up no objections and let Ms. Baker move on to the next unsuspecting Landlord – the correct response is to see Ms. Baker get the mental health r\treatment she needs in an institution prepared to manage her daily care needs. This is not he cheap or easy course as the tenant has caused in excess of \$10,000 of damage and \$8,000 of legal costs – but it is a burden that must be taken to prevent the next innocent Landlord and their tenants from becoming victims as well.

Thank you for allowing this testimony to be entered into the record.

Respectfully,



Steven M. Minn

Chief Financial Manager

WRA-1276, LLC

Steve Minn

From: Thomas, James (CI-StPaul) <james.thomas@ci.stpaul.mn.us>
Sent: Friday, April 2, 2021 7:44 AM
To: Steve Minn
Cc: Shaff, Leanna (CI-StPaul)
Subject: RE: 1276 Wilson Unit # 128

Tenants sometimes damage property that they live in . The responsibility is to the owner to repair those items. Yes you need to file your appeal.

From: Steve Minn <Steve.Minn@lupedevelopment.com>
Sent: Thursday, April 1, 2021 7:56 PM
To: Thomas, James (CI-StPaul) <james.thomas@ci.stpaul.mn.us>
Cc: #CI-StPaul_Ward7 <Ward7@ci.stpaul.mn.us>; Harr, Stephanie (CI-StPaul) <Stephanie.Harr@ci.stpaul.mn.us>; Morgan Okney (morgan@okneylaw.com) <morgan@okneylaw.com>; *CI-StPaul_LegislativeHearings <LegislativeHearings@ci.stpaul.mn.us>
Subject: 1276 Wilson Unit # 128

Think Before You Click: This email originated outside our organization.

Inspector Thomas,

I understand you were at the property today to re-inspect the unit occupied by Michelle Baker. As you probably discovered, the ceiling opening caused by Ms. Baker was repaired notwithstanding our objection that this was caused by the tenant. Water service and electrical service were restored to the unit ever since the condemnation order was removed.

I have not replaced the closet doors, kitchen cabinet door nor window screens destroyed by Ms. Baker, as those items were not damaged at the time we delivered possession of the unit. The unit was inspected by Metro HRA as a condition of her moving in, and it was in perfect condition per our own document files. Those damage items are tenant caused damage, and I will not repair them during her occupancy only to have Ms. Baker re-damage them again before she finally moves out of this building. She owes back rent and substantial charges for the damage she has caused. If you need to condemn the unit for these conditions – you have my blessing.

If these outstanding items complicate your close-out of the work orders, then I will have to appeal those remaining work orders and have another legislative hearing. However, I can assure you once Ms. Baker is out, we will make the repairs in order to lease the unit to a normal person.

I welcome you additional comments and suggestions.

BTW... Ms. Baker is systemically hauling her trash all over the building and leaving it in the corridors in a purposeful attempt to damage the building and environs. We have had repeated occurrences of this recently and finally caught her on video with our new camera system. I can share the details if you would like to see them. The woman is a menace, and I am appealing the refusal to evict to the Appellate Court as well as challenging her request to vacate the eviction record.

Respectfully,

Steve Minn

VP/CFO

Lupe Development Partners, LLC

1701 Madison St., NE Suite 111

Minneapolis, MN 55413

612-843-4069

Steve.minn@lupedevelopment.com

Steve Minn

From: Jesse Luft <jluft@hbgltd.net>
Sent: Monday, April 5, 2021 11:23 AM
To: Erin King McCray; Eric Everhardt; Steve Minn
Subject: Michelle Baker trash left outside now.

I found the same trash man baker left and I cleaned up, left outside the emergency door by her unit. Same juice, wine and bud light can that you can see in the video and pictures.

I left her a note that she can't leave trash in the halls. This I guess was her response.

Jesse Luft
Cell: 651-492-0415
Regional Maintenance manager
Jluft@hbgltd.net
Halverson and Blaiser Group, Ltd.
7800 Metro Parkway, Suite 300
Bloomington, MN 55425
www.awesomeapts.com
www.hbgltd.com

Steve Minn

From: Assistant Manager at East Side St Paul <asstmgr@eastsidestpaul.com>
Sent: Wednesday, April 21, 2021 4:42 PM
To: Manager at East Side St Paul; Jess Nelson; Steve Minn; Jesse Luft
Subject: mike Debes statement from Michelle baker issue 04/21/2021

Mike Debes statement

I had to go to wilson to meet Jesse in doing so observed Michelle harassing the mail delivery man, I started to record on my phone. Michelle was accusing the mail man of giving her check to another person asked why she had a vacant card in the mail box when she lived in the unit. Then proceeded to harassed the mail man again said she can't get in the mail box due to her key breaking off in the lock again said she asked office to give her another key and has not got one. In which the mail the mail man walked outside and called his supervisor in which his supervisor informed him not to deliver the mail. In the end no one at wilson has gotten there mail on 04/21/2021 and was informed to deliver the mail the following day.

This is a true and correct statement made by Mike Debes

(video will be coming once that is able to be taken off of mikes phone)

Eric Everhardt

Assistant Community Manager

asstmgr@eastsidestpaul.com

Eastside Apartments

O: 651-771-6672 F: 651-502-8888

www.EastSideStPaul.com

www.WilsonRidgeLiving.com

www.AwesomeApartments.com



Steve Minn

From: Assistant Manager at East Side St Paul <asstmgr@eastsidestpaul.com>
Sent: Monday, April 19, 2021 5:30 PM
To: Steve Minn; Manager at East Side St Paul; Jess Nelson
Subject: Michelle baker encounter 04/19/2021 Eric Everhardt

Michelle baker began beating on the glass window in the office from the outside. Then entered the building to continue to bang and knock on the office door. I opened the door and was informed by Michelle that she won court and giggled about it, I didn't say much of anything just tried to be polite due to the other residents being around. Michelle stated to me that she was leaving she didn't have her keys any longer and gave them to her son, that she didn't have a mail box key still and that someone took her mail out of the box. Michelle then proceeded to tell me that she doesn't tell the truth about much but she wanted to tell me that I was the nicest one in the office and that she owed me a box of things and wanted to send the owner a bouquet of flowers. She wanted to know the numbers and address of everyone I told her the number for HBG was posted on the outside of the building and that she was able to get that from the sign. I kept the office door open as open as I could and tried to have her come in so the voice camera would pick up anything and everything she was saying. After that encounter I called Erin King McCray to inform and to find out what should be done. This is my statement that is true and correct at of 04/019/2021.

Eric Everhardt

Assistant Community Manager
asstmgr@eastsidestpaul.com

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Steve Minn

From: Assistant Manager at East Side St Paul <asstmgr@eastsidestpaul.com>
Sent: Monday, April 19, 2021 5:42 PM
To: Steve Minn; Manager at East Side St Paul; Jess Nelson
Subject: Michelle Baker encounter 04/19/2021 Mike Debes

Originally I went to the door and she asked us to come back that she was not dressed and totally naked and had to wash her face. at 9:00 AM I returned Michelle let us in and I was filming the apartment she was saying things like she won the lawsuit and her son will be taking over the apartment and would like to get a key for her son she asked if mike was recording and he answered yes. She said she wish she would have gotten notice, mike replied that it was given to her by sliding it under her door she stated she wanted to clean up her messy apartment. Then asked if both mike or Kemet wanted a beer or coffee and said she would cook breakfast if they would like to eat was talking about all the mold in the apartment and showed mike a zip lock bag full of vacuum debris that she said was contaminated and the her sister is a scientist and she will be having her test it. proceeded to tell mike that there was a dead cat in the wall and wanted to give it a proper burial. Michelle asked for a copy of all the work that was being done was going to give the proper manager owner and mike a gift card to famous Dave's. Mike stated that she ranted over and over about the above conversation.

At 4PM

Mike states she asked Eric for the key and that her son will be taking over the apartment. Eric informed her that she would have to communicate to ownership and to management about this change. I then went up to help another resident so I did not hear any other conversation between Eric and Michelle.

Mike Debes states that this is true and correct as of 04/19/2021

Eric Everhardt

Assistant Community Manager
asstmgr@eastsidestpaul.com

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April 5, 2021

To Whom this may concern

I Ladarious tenant #121 WPA is

Complaining about trash being thrown
around this Building including outside

of my door aswell. I seen a lady
down the hall throwin stinky and

lose trash in hallway and Im very disturbed

by these actions. Im askin help keep our

environment clean for other residents

that enjoy clean & safe places to live

Thank you





