



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
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Thursday, August 17, 2017

1:00 PM

Room 330 City Hall & Court House

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### EMERGENCY HEARING

#### 1:00 p.m. Hearings

#### Orders To Vacate, Condemnations and Revocations

- 1     **RLH VO 17-32**     Appeal of Theresa Abitong to a Condemnation as Unfit for Human Habitation and Order to Vacate at 882 CLARK STREET.

**Sponsors:**     Brendmoen

*Theresa E. Abitong, owner & appellant, appeared.*

*Dennis Peabody, Ms. Abitong's step father, appeared.*

*Chad Skally, friend of the family, appeared.*

*Lauren Lightner, The House Calls Program, Ramsey County, appeared.*

*DSI Inspector Stephan Suon appeared.*

*Mr. Suon:*

*-on Aug 14, 2017, a complaint came in about possible gross/unsanitary conditions at 882 Clark Street; I went out to inspect this property the same day; Ms. Abitong suggested that I come back the next day with House Calls*

*-we went out & conducted an interior inspection on Aug 15, 2017*

*-we found a severe rodent infestation (live mice, mice feces, dead mice); fire hazards due to excessive storage; blocked hallways, fire escapes, exits; obstructed path to water heater, electrical panel, furnace; combustibles around the water heater/furnace; unsanitary conditions due to raw garbage, rubbish, refuse; excessive clutter*

*-I posted the Condemnation the next day Aug 16, 2017 with a Vacate date of Aug 18, 2017*

*Ms. Moermond:*

*-in reviewing the Orders, I also noticed cat feces*

*-I imagine that we don't know all the violations because of the extreme clutter; once items have been removed the walls exposed, there may be other deficiencies that we were not aware of at the time of the inspection*

*-Linda Owl's name is on the property record; is she deceased?*

*Ms. Abitong:*

*-yes; she is my mom*

*Ms. Moermond:*

*-I had an appeal from your mom, Ms. Owl, back in 2010 on a Condemnation/Order to Vacate for very similar conditions*

*Ms. Abitong:*

*-I was not present in the house at that time; I did help with the clean-up then*

*Ms. Moermond:*

*-your mom/people in the house at that time were clearly hoarding; & I see that continuing on although she's passed*

*Ms. Abitong:*

*-when she passed, we left our apartment & went to live in the house to keep up with the mortgage payments; we filled up 4 dumpsters after she passed in Nov 2016; during the winter, we were getting rid of her stuff & focused on the house; we could not afford any more dumpsters*

*-I & my 4 boys live in the house with their dad: 10, 7, 4, & 8 months*

*-we were able to bring just some of our stuff with us*

*Mr. Peabody:*

*-from 2010, when Ms. Owl had the Condemnation Order, the house was kept up decent for a while; we got rid of a lot of stuff at that point; she started re-hoarding in 2015 & soon afterward, she was diagnosed with cancer; when she passed, the house was a mess; someone did break in & trashed it worse than it was; I've watched & helped Theresa remove a lot of stuff out*

*-I'm in the process of doing a lot of repairs in there now; the house has improved*

*-I did not live in the house; I have my own place*

*-in Canada law, common law marriage, I was married to Linda Owl, Theresa's mother; down here, I have no legal paperwork saying that Linda was my wife; Linda had dual citizenship; so does Theresa; I've been there for them for 10 years*

*-the house has mouse problems; we put out rat killer, Decon; that's why they're finding dead mice in the basement*

*-this weekend, we'll take everything completely out of the basement - all the trash - all the food; we'll get it down to bare floor & bare walls; will leave the appliances*

*-I have no ownership in the house*

*Mr. Skally:*

*-I am a friend of the family*

*-I just found out about this yesterday; I might be able to find some resources to help with this issue*

*Ms. Lightner:*

*-Theresa & I met a couple days ago; she brought me through the upstairs & some of the main parts of the house; she showed me pictures of the basement - said that there was a bad smell down there; she agreed to receive the dumpsters; we can provide up to 3 dumpsters; the first one is full & ready to be switched out to the second one*

*-I received some funding from Saint Paul Foundation as well as our own sanitation budget & will be contributing \$1250 to \_\_\_\_\_ for a clean-up.*

*-we talked about their Xcel bill; I was able to get the family out of disconnect; there is still a balance*

*Ms. Abitong:*

*-we moved into this house in Jan 2017; we could not keep, financially, both the house & the apartment*

*-we can now keep up with Xcel*

*Ms. Lightner:*

*-I think that this will maybe be a 4-5 dumpster situation; we think that we'll be able to help the family get a complete trash out*

*Ms. Moermond:*

*-I know that you've been living there for a while; at the same time, I know that there's a significant rodent infestation and all the materials in boxes will have urine, feces & rodent corpses in them; I'm not thrilled about the kids being in this environment & I know they've been in this environment for a while but now I'm aware of it & I have a responsibility around that*

*-with the active cleaning going on - great!*

*-I'm really inclined to say that I would like to see you out of there until at least the basement is cleaned out; in my review of the photos, it's telling me that this is an unsanitary situation for you & your children & could lead to illness*

*-it will be an added expense to put you up in a motel/hotel while the trash out is going on; & extra child care*

*Ms. Lightner:*

*-fortunately, last year, House Calls was awarded a small grant to assist family condemnation situations for 5 days at a hotel & since you're a bigger family, we will try to get you 2 rooms there; that's a resource we can use*

*Ms. Moermond:*

*-so there's the ability to get the family housed for 5 days while this is happening  
-you adults would be working on the clean out, then, child care would become an issue; is that something that you could work out?*

*Ms. Abitong:*

*-I have family - my brother & sister could help out watching the children while we clean*

*Ms. Moermond:*

*-knowing the kind of bacteria that we're talking about - knowing that you've got poison in the house to the degree that you'll need to have poison in the house to handle the situation.... I would be much more comfortable if you could be some place else while the lion's share of the work was done*

*-I would like to schedule a hearing for next Tue, Aug 22 at 11:30 to follow up with you on how it's going*

*Ms. Lightner:*

*-we have a contract with Guardian; they will come in & help with the rodents after the clean-out & they can follow-up every 30 days until you're not seeing any more evidence of the rodents*

*Mr. Skally:*

*-in order to move back into the house, it sounds like the key part is having the basement .....*

*Ms. Moermond:*

*-the basement looks to be the worst...*

*Mr. Skally:*

*-so, my question is, Is there anything else that needs to get done this weekend - does the toilet need to be fixed; does something else need to happen so that on Tue they can move back into the house?*

*Ms. Moermond:*

*-let's get as much out of the house as we can & get it as clean as we can*

*-I don't have good answers for that*

*-I would like the inspector to be able to take a look at this - Mr. Suon can look at it on*

*Tue morning*

*-we'll meet at 11:30 am*

*Mr. Skally:*

*-could I ask the inspector what specific things he would look at?*

*Mr. Suon:*

*-I'm concerned mainly about the life safety and health safety issues: raw garbage;*

*clutter in the basement; blocked egress; blocked pathways*

*-and, there's one room that you can't even get into*

*Ms. Moermond:*

*-each room needs to have 2 ways out: door & window & clear pathways to the doors & windows; take away the trip hazards*

*-hopefully, we can get you back into the house soon; there's a ton of public resources to help you get this under control*

*-in the long run, you may want to reflect on hoarding in your life - will it have a long term impact? There are support groups out there to help; I want you to be able to take care of you for your own health*

*-Inspector Suon will be out to inspect at 9 am Tue, Aug 22; we'll be back here at 11:30 am*

**Laid Over to the Legislative Hearings due back on 8/22/2017**