

Vang, Mai (CI-StPaul)

From: Vang, Mai (CI-StPaul)
Sent: Thursday, December 10, 2015 12:38 PM
To: robert@pacfinance.com; 'bpasseri@kw.com'; 'riselewa@gmail.com'
Subject: Order to Remove or Repair 373 Ruth Street

Hello All,

*This is to inform you that the above-referenced matter is scheduled for January 12. However, after consulting with the Legislative Hearing Officer, Marcia Moermond, the matter is now scheduled for **Tuesday, December 22, 2015 at 9:00 a.m. in Room 330 City Hall.***

Ms. Moermond stated that under MN State Law and also under St Paul Legislative Code, Chapter 45, the seller must disclose all material facts that compromises the quiet enjoyment of the property to the buyer.

- **Sec. 45.11. - Substantial abatement procedure.**

When the enforcement officer determines that a nuisance exists on a property and the cost of abatement of the nuisance is estimated to exceed five thousand dollars (\$5,000.00), or the abatement involves demolition of a building other than a structure accessory to a residential building, or the abatement substantially diminishes the value of the property, and except in the case of an emergency as provided for in [section 45.12](#), the city shall abate the nuisance by the procedure described below. A good faith estimate of the abatement costs, not the actual cost calculated after the abatement is completed, shall be the basis which determines whether this abatement procedure shall be used.

- (1)
 - Orders.* The enforcement officer shall serve a written order upon the owner, all interested parties and any responsible party known to the officer. The order shall contain the following:
 - a. A description of the real estate which is sufficient for identification and which shall include the legal description;
 - b. The location of the nuisance on the property;
 - c. A description of the nuisance and the basis upon which it is declared to be a nuisance;
 - d. The remedial action required to abate the nuisance;
 - e. The abatement deadline, to be determined by the enforcement officer, allowing a reasonable time for the completion of any act required;
 - f. A statement that if the remedial action is not taken before the abatement deadline, the matter will be referred to the city council, who, after a public hearing, may order the city to abate the nuisance and charge all costs incurred against the real estate as a special assessment to be collected in the same manner as taxes.

- (2)
 - Notice to public.* When an order requires, exclusively or as an option, the demolition of a building, the public shall be put on notice as follows:
 - a. The owner or any responsible party is required to provide full disclosure of the order to abate to all interested parties, all present or subsequent renters, and any subsequent owners.

b.

The owner or any responsible party is required to provide full disclosure of the order to abate in a complete Truth-in-Sale of Housing Report to any subsequent owners per Legislative Code, [Chapter 189](#).

Ms. Moermond encourages both the buyer and seller to attend the hearing on December 22.

Any further questions, please let me know. Thanks.



Mai Vang

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