



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
*Jean Birkholz, Hearing Secretary*  
*legislativehearings@ci.stpaul.mn.us*  
*651-266-8585*

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Tuesday, September 27, 2016

8:00 AM

Room 330 City Hall & Court House

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#### 8:00 a.m. Hearings

- 1 [RLH FCO 16-135](#) Appeal of Jason Lien, on behalf of Talon First Trust, LLC/Jackson I LLC to a Fire Inspection Correction Notice at 180 FIFTH STREET EAST.
- Sponsors:** Noecker
- Laid Over to the Legislative Hearings due back on 10/18/2016

#### 9:00 a.m. Hearings

##### Remove/Repair Orders

- 2 [RLH RR 16-33](#) Ordering the razing and removal of the structures at 1530 CHARLES AVENUE within fifteen (15) days after the September 7, 2016, City Council Public Hearing. (Public hearing continued from September 7)
- Sponsors:** Stark

*Michael V Schleisman, Attorney, PFB Law PA, appeared.*

*Ms. Moermond:*

*-you guys were going to finish the rehab because the mortgage holder failed to do so  
-at this point, I need the usual:*

- 1. a detailed work plan or sworn construction statement, with timelines, for the completion of the rehab;*
- 2. a letter of commitment from the Bank dedicating the amount of funds for the project;*
- 3. provide bids from a general and subcontractors;*
- 4. maintain the property.*

*Mr. Schleisman:*

*-I'm not going to waste your time, I don't have any updates to provide you on progress or commitment of funds; and I don't even have a reason for that being missing*

*-I can say only so much because of the conflict; I do represent this client but I don't have anything to provide you*

*-this is an Ocwen serviced loan; the investor is US Bank, so they hold the mortgage but it's a mortgage that's serviced by Ocwen, who uses their property preservation*

vendor, Altisource

-I'm sure if you're aware but the foreclosure sale was, unfortunately, postponed to Nov 3, 2016; the reduced redemption action is still on the books; it still applies to whatever sale does take place, whenever that happens, it will be a 5-week redemption period

Mr. Steve Magner, Vacant Buildings:

-do you think that if the sale had occurred they would be more interested in participating?

Mr. Schleisman:

-I think that's what happened

Ms. Moermond:

-we have a deceased owner; Mai Vang & I spent some time on the phone with people of different companies.... Krono's, who replaced Altisource, contacted us

Mr. Schleisman:

-Altisource sometimes uses their own vendor, Safeguard but from what I understand, it's just Altisource on this but they do use a lot of subvendors for property preservation activities

-the last communication I had with my client is that they misinterpreted the letters that were provided after Mr. Goerlitz appeared, which stated that this hearing would take place and then the City Council hearing in Oct; they somehow misread that and misread our instructions thinking that the City Council hearing was the deadline for getting things moving...., although, they've indicated to me that they want to save this building but they want more time

Mr. Magner:

-for the record, he read the letter of Sep 14, 2016 to Jared Goerlitz (attached)  
-I don't know what's confusing about that letter but .....

Mai Vang:

-referred to the email from David Strathy from Altisource on Thu Aug 18 (attached) with questions

Ms. Moermond:

-I made a request of the city's building official, Steve Ubl, that he expedite a code compliance inspection but when the inspectors went out, the lock box was not provided

Mr. Schleisman:

-that was provided to my clients; they said that they would do their best to provide a new lock box

Mr. Magner:

-on Sep 15, a trial letter was done by building; a letter was done the same day by electrical; a letter was done by plumbing; mechanical still needs to get out there  
-I can certainly find out why mechanical hasn't done their part; after they do their inspection, we will send out the document the next day or so  
-I will follow that up

Mr. Schleisman:

-I haven't been able to obtain the information necessary to prepare for this hearing  
-my assumption is that my client would like more time

*Ms. Moermond:*

*-I will recommend the building be Removed within 15 days at the City Council Public Hearing next Wed, Oct 5, 2016; if you can bring me something impressive that addresses the items in the letter, then maybe we can change the course of this ship*

*Remove the building within 15 days with no option for repair, unless owner can present plans and financing for the rehab.*

**Referred to the City Council due back on 10/5/2016**

**3**      [RLH RR 15-44](#)

Ordering the rehabilitation or razing and removal of the structures at 689 CONWAY STREET within fifteen (15) days after the December 16, 2015, City Council Public Hearing.

**Sponsors:**      Prince

*Aaron Rubenstein, Historic Saint Paul Corporation, appeared.*

*Mr. Rubenstein:*

*-we are making progress but we're not quite there yet*

*-we closed on the house Aug 5, 2016; we are working still to refine the numbers and plans*

*-we will have an appraisal number later this week; key to finalize the financing*

*-brought with him a letter of financing commitment from Twin Cities Community Land Bank but we need to finalize all the figures before we can get a final approval for the financing from them*

*-the contractor is ready to start in Nov 2016, which will allow time for bldg permit review & HPC review*

*-as stated in the development budget that we submitted last time, the construction budget is \$145,000*

*-we are not sure whether or not we will be using Metamorphosis Contracting*

*-we have a bid from one other contractor; haven't made a final decision on the contractor*

*Ms. Moermond:*

*-this is way behind what I wanted to have done; I'm not understanding why there was a problem; when we talked about the numbers, HSP was working on revising it's accounting system and updating - that was slowing things down but how that would have effected getting an appraisal.....*

*Mr. Rubenstein:*

*-I don't know why this has happened but the numbers from one of the contractors has gone up a fair bid (Metamorphosis went from \$143,000 to \$162,000); initially, we were talking about selling the house to a particular individual but the house wouldn't be completely finished (the case at the end of Jun) but the contractor said that was not really the case; we have not worked with Metamorphosis before*  
*-we, of course, wanted it all buttoned up and ready to go, too; we are pretty close*

*Ms. Moermond:*

*-asked if everything could be done in 2 weeks*

*-we have an anniversary date coming up on this property (registered vacant building subject to demolition)*

*Mr. Rubenstein:*

*-let's aim for that; actually, in order have it absolutely buttoned up, I think I would need 4 weeks; then, we would be done*

*-we just have to be sure of the numbers so that we aren't surprised or sabotaged*

*after we pull a permit ...*

*Ms. Moermond:*

*-I will ask the Council to grant another month on this; then, we'll look at your plans on Oct 25, 2016; it will be done and ready to be approved; if you have any questions, please email them along the way so that we can deal with it*

*-City Council Public Hearing Nov 2, 2016*

*Need revised letter of commitment from the Twin Cities Community Land Bank to indicate the amount of funds; scope of work for the rehab, including timelines, and evidence of financing to complete the project.*

**Laid Over to the Legislative Hearings due back on 10/25/2016**

**4**      [RLH RR 16-35](#)

Ordering the razing and removal of the structures at 1242 HEWITT AVENUE within fifteen (15) days after the September 7, 2016, City Council Public Hearing. (To be referred back to Legislative Hearing on October 25)

**Sponsors:**      Stark

*Action Minute: Owner to provide a sworn construction statement or work plan with timelines for the rehab of the structure no later than the close of business on October 3rd.*

*No one appeared.*

*Steve Magner:*

*(read the September 22, 2016 letter from Ms. Vang to Ms. Terri Hunter (attached herein).*

*Marcia Moermond:*

*-Mai has updated the file her that the the performance deposit was posted on September 22nd and the code compliance inspection was paid for on September 23rd*

*-don't have any information about a contractor having gone through and developed a plan or sworn construction statement*

*Mr. Magner:*

*-neither did he but they still could have provided a preliminary plan that can be amended after the code compliance inspection.*

*Ms. Moermond:*

*-these were the conversations we had on the phone with them*

*-that was the expectation*

*Mai Vang:*

*-rec'd an email from Ms. Hunter that she received the email and is addressing*

*Ms. Moermond:*

*-we talked on the phone with her for quite a while*

*-one was for them to provide a representative and identification of a law firm they might use*

*-looks like Weingarden & Liebo and Tara is an officer manager who assigns cases out to whom and get it appropriately directed*

*-asked if the property has been maintained*

Mr. Magner:  
-last couple visits have been ok'd.

Ms. Moermond:  
-asked when it goes to City Council

Ms. Vang:  
-October 5

Ms. Moermond:  
-they can bring us sworn construction statement or some level of plans, I can layover to get the other pieces in place  
-need this no later than October 3rd close of business so Mr. Magner and I can look at it.

**Referred to the City Council due back on 10/5/2016**

### Staff Reports

- 5 [SR 16-66](#) Reviewing request for Council to grant Ryan and Tina North an additional extension for its Order to Remove or Repair the Structures at 929 SEVENTH STREET WEST.

Sponsors: Noecker

Ryan North, owner, appeared.  
Steve Ubl, city's building official, appeared.

Ms. Moermond:  
-we have a request for an extension of time on the STAY of enforcement  
-this is maybe the 3rd request for a Stay of enforcement on the property since the Order was originally issued, which is an extraordinary length of time for Stays on bldgs that have been declared to be a nuisance and dangerous structure; so, this is really a serious matter  
-however, this is a different owner

Inspector Steve Magner, Vacant Buildings:  
-read the letter written by Ms. Marcia Moermond, Legislative Hearing Officer, dated Sep 15, 2016 to Ryan North regarding an extension of the Stay of the Council Resolution to Remove 929 Seventh Street West (attached)

Ms. Moermond:  
-the \$5000 Performance Deposit needs to be posted (the bond is not acceptable in these circumstances)  
-the Council is authorized, exclusively, under the code, to grant 1 extension of 180 days; and the Council is authorized to ask up to \$10,000 Performance Deposit as well as, it's presumed, the bond be forfeit for the lack of progress on the first 180 days; so, as I see it, since carving out an agreement that would be put in the form of a resolution and for my purposes, seeing the actual deposit demonstrates the money being there; and that is, I know, an issue but at the same time, if you're not able to produce the \$5000 deposit, are you able to produce the money to be able to complete the rehab project; that is what is structured in the code; it is refundable upon successful completion of the project within the allotted time; many people choose to use that money for finishing work that isn't necessary to get their Certificate of Compliance to occupy the space (decorating, etc.)  
-I will hold fast on that because I already feel like asking DSI not to forfeit the bond for

*nonperformance is a big deal; so, I'm not sure how you want to manage that on your end but I'm to stick to my guns on that*  
*-asked if he had a fresh Work Plan*

*Mr. North:*

*-I have a sworn construction statement with further details regarding subcontractors*

*Ms. Moermond:*

*-Mai Vang will make copies of your new documents*

*-Mr. Ubl and Mr. Magner reviewed the sworn construction statement*

*-Mr. Ubl and his staff will be reviewing the engineering documents & permits, etc.*

*Recess taken while Mai Vang made copies of Mr. Ryan's documents*

*Ms. Moermond:*

*-has schedule from Nov - Sep present day*

*Mr. North:*

*-the schedule outlines all the steps we've taken on this very complex journey regarding our business model; this has not only been about fixing the bldg but inserting a successful business operation, as well; he wanted to be very thorough regarding our challenges of putting this business model forward*

*-I am learning while I'm going and at one point, we thought that construction would begin in late spring and be completed by the end of the summer of this year; that's what the signs pointed to*

*-the issue of our funding being tied to the liquor license didn't pop up because I didn't know that the liquor license would be so pushed out, time wise; I thought that the liquor license would be done by the beginning of the summer*

*Ms. Moermond:*

*-but you know that your funding the rehab of the building was contingent upon the liquor license from the very beginning*

*Mr. North:*

*-no; that really didn't come up as a talking point from the bank until later in the process when the bank, looking at the proforma/business plan said that it looks like your liquor license and the ability to sell drinks represents about 15% of your revenue stream and he said that he wasn't comfortable releasing the funds until he knew that I had my liquor license*

*-that wasn't even a conversation point initially because we didn't know that the liquor license was going to take that long; seemed as though it would be a done deal at the beginning of the summer; I completely underestimated the time that it was going to take*

*-we've been working diligently since Nov 2015 to give the city what it requires*

*-we have also spent \$70,000 fixing the roof and the walls to button up the bldg to help stop deterioration*

*Mr. Ubl:*

*-commented on the narrative that had just been handed to him starting in Nov 2014 that discusses things to be completed by Jan 2017*

*-from Jan 2015, a narrative discusses parking and liquor license opportunities; so, it looks like we've been working on this for a couple of years*

*-a bldg permit was obtained in Jan 2014 with not much activity (from previous ownership)*

*-other permits: demolition; re-work on the roof; to date, we've had no inspections on that; one of his primary concerns on that permit is that we have a directive where the*

roof drainage is required to be connected to the storm water and right now, we have direction going to the alleyway with a tremendous volume of water, which causes a lot of concerns for myself, DSI and Public Works if this is going to be a heavy winter season (How do we control it?); that has to be addressed quickly

-roof - I'm curious if the drainage of that roof system that you've been repairing is giving consideration of the storm water management that needs to be exercised here for the C of O to be issued and for the condition of the roof?

-I have other permits that have been issued: plumbing, warm air; neither have had any activity to date

-another bldg permit pending; I'm assuming it's based on the liquor license being issued & approved for your floor plan that looks like it's for entertaining an 82 occupancy, potentially

-3 documents have been presented to him at this time: 1) a chronology of events that took place with a lot of dialogue; 2) another one shows a lot of small print from a company called Locus....

Mr. North:

-that's structural engineering notes from our structural engineer, Mattson, MacDonald & Young Inc...  
(bldg permit that's been issued, he believes)

Ms. Moermond:

-if the roof is draining to the alley, then the engineering wasn't complete.....

Mr. Ubl:

-you cut to the chase rapidly

-during construction, there are ways to have temporary systems in place to divert the water to wherever they want to until such time when we make connections in the street (he assumes that's been exercised in the field)

-the 3rd document is from Raven Construction; 3 questions on this document

-I don't see a date anywhere reflecting this proposal and which code is this under (current or the old? specifically for the Energy Code, Electrical Code and Mechanical Code, with provisions that have drastically changed); and I don't see any line item for all of the electrical work that will need to be performed; is that in here?

Mr. North:

-it's not in there; I hired the electrician outside of my contract with Raven; however, as of the last couple of days, we've changed course on that and she will be taking on our electrical subcontractor as one of her subcontractors

-re: line item for connecting to the storm water in the street, I would have to double check if the plumbing storm sewer line 11A includes that \$30,000 bump in that change (not sure)

Mr. Ubl:

-one of the primary concerns is that we have a timeline on permits that's typically, 180 days and if there's no activity, there's an option for the permit holder to request an extension (one time) for 180 days - 1 avenue to take; the concern we have here is that we aren't seeing progress (a history of work being performed in an expeditious fashion)

-how are we getting from point A to point B when we don't have all of the approvals yet or the plans in place? (liquor license & storm water management)

Mr. North:

-we do know that we need to divert the storm water drain from the alley into the sewer, which meant that we had to look at other parts of our budget to make adjustments for that extra cost

-currently, our liquor license (I'm hoping) is on the City Council agenda on Oct 5, 2016

-closing on loan tentatively set for Oct 6, 2016

Ms. Moermond:

-wants to set a timeline of no more than a week from the issuance of the liquor license by the City Council to have actual financing in place; closing on your loan to be able to execute the project

Mr. Ubl:

-that pretty much covers it; just the concern of the timeline that's taken place to day and we're not much farther along

Mr. North:

-we're ready to roll; my contractor has all the horses at the gate

Mr. Magner:

-I'm unclear about the electrical; it's above & beyond this \$467,000?

Mr. North:

-yes; I believe so; the subcontractor is still whitling down the numbers but estimated \$50,000; that includes the fixtures, etc. and we've been putting together extras throughout the year, accepting donations, etc.

-and we start fundraising in Oct and hope to raise \$40,000 - \$60,000 to buy those things outside of our budget that we need

Mr. Magner:

-on item 11A -Plumbing/Storm Sewer - \$77,450; does that include the connection from the roof to the storm sewer

Mr. North:

-I can't answer that

Mr. Ubl:

-we have a permit pending to be issued; he heard a moment ago the mention of incandescent lighting and wants to point out that we need to follow the letter of the design that was presented to us regarding the MN Energy Code; it's quite a rigid energy code to date for the envelope and for conservation purposes; I want to make sure that you're reflecting that in the purchases of your products; your electrical contractor, mechanical engineer, mechanical contractor should be working in harmony to compete that energy package that was supposed to be submitted with your bldg permit application; we want to make sure that all 3 are saying the same thing

Mr. Magner:

-clarification: when you reference that, you're talking about fixtures that are hard-wired or hard-plumbed into the structure; items that are not hard-wired but are plug & cord don't need to meet that energy code; the fixture has to meet that energy code

Mr. Ubl:

-that's right; any secondary energy use would not be part of the scope of the work for your project

Ms. Moermond:

-Mai will send a letter listing the following:



- 1) signed loan agreement for the rehab funding to be received in LHO Office within a week of the issuance of liquor license;
- 2) revised work plan from Raven Construction to include specific deadlines;
- 3) confirmation that the project budget includes monetary provision for storm water sewer connection, and if it does not, an amended budget will be necessary;
- 4) electrical bid and revised project budget to reflect this amount;
- 5) current floor plans;
- 6) current site plan; and
- 7) \$5,000 performance deposit, the performance bond is not acceptable in current circumstances.

-I want to emphasize the question of timing; I need to see how this is going to unfold over 6 months in detail, which isn't present right now in the documents

-I'm especially concerned because we did not have performance for the first 6 months

Mr. North:

-you should see a good amount of work completed by the end of Nov

Ms. Moermond:

-I want it done in 6 months

-if you show me the money on Oct 13, it's conceivable that this could be on the Council agenda on Oct 19 (Bring me the actual document)

-send other documents, too, before if you can

-I will run the bldg related items by Mr. Ubl just to make sure it was he was thinking

-take care of the maintenance

Mr. North:

-garbage cans should snug right up to the bldg

Ms. Moermond:

A new resolution will be drafted for the Council meeting on October 19 for a stay of enforcement if the following conditions are met by October 13:

- 1) signed loan agreement for the rehab funding to be received in LHO Office within a week of the issuance of liquor license;
- 2) revised work plan from Raven Construction to include specific deadlines;
- 3) confirmation that the project budget includes monetary provision for storm water sewer connection, and if it does not, an amended budget will be necessary;
- 4) electrical bid and revised project budget to reflect this amount;
- 5) current floor plans;
- 6) current site plan; and
- 7) \$5,000 performance deposit, the performance bond is not acceptable in current circumstances.

Received and Filed

## 1:30 p.m. Hearings

### Fire Certificates of Occupancy

- 6 [RLH FCO 16-158](#) Appeal of Anthony Strouth to a Fire Inspection Correction Notice at 1291 SHERBURNE AVENUE.

Sponsors: Stark

*Anthony Strouth, owner, appeared.*

*Fire Inspector A J Neis:*

*-Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Mike Cassidy*

*-work was done in the basement that was not completed under permit*

*-the Appellant spoke with the inspector today; there has been some confusion on some of the items that were Ordered, which were done prior to his ownership, in particular, an escape window that was installed as a condition of his purchasing the property (previous owner hadn't pulled a permit); Appellant assumed that it had been installed properly because it was a condition of the sale; that work needs to be done properly under permit*

*-Inspector Lisa Martin started this Mar 9, 2015; Inspector Cassidy is following up on it*

*-other confusion: some of the codes are improperly cited in AMANDA because we have not yet been able to update our code to reflect some of the new changes; codes don't jibe with the Orders*

*-there were not any big violations or safety violation with any of those items*

*-reviewed the TISH Report of Jun 2015 did identify some areas of concern with the plumbing that were not done correctly, in particular, in the basement: tape waste piping; putty on waste pipe under bathroom; extension cord for wet bar sink disposal, which can't be used; low head room in basement of less than 7 feet (recent code chg); also identified that basement egress well lacked a permanently mounted escape ladder, which is required*

*-the TISH Report did identify some things that hadn't been done correctly that would have been caught had permits been pulled*

*-pointed out, that under Mr. Strouth's ownership, with the exception of May, Jul & Sep 2014 when we rec'd tall grass & weed complaints, the property has a very clean history with their office*

*Mr. Strouth:*

*-I live in Texas; this is my old residence, a single family home; I lived there for 8 years and moved to TX 2014-15 when my job transferred me*

*-Deuth is my property management company*

*-when I got this report and I was so far away, it initially scared me; so, I put the house on the market and for 6 months, it did not sell; for 8 months I was out any kind of income to pay the mortgage; I didn't know where to begin; I spent some money to clean up the property; then, I put it back into a rental*

*-then I got this again & I'm here because I can't go another 8 months without paying my mortgage*

*-I went through the list and going through the codes (Legislative Code) & I'm seeing that the house doesn't have enough bathrooms; doesn't have a kitchen sink; it doesn't have enough water facilities for the bldg; this is cited in different portions of the report; another thing that threw me was that in #2 the electrical component (Leg Code 34.34(5)-for insect and rodent harborage..... that made me think that we had rodents in our electrical boxes (?); so, that's why I made a point to come up here; I had the property management company give me a lot of photos; I was on their butt about things but everything was fine - it checked out fine (I'm being cited for something that doesn't exist)*

*-this is a normal house; I lived in the house for 8 years (What's going on?)*

*-every time the property mgr goes out, he charges at least for 1 hour, which is \$50... I need to make sure that I'm protected and we've had no problems with the tenants*

*-I'm willing to comply with things, within reason*

*Mr. Neis:*

*-the property owner is absolutely right; the code section is property cited under 34.14(2) about the electrical; then, for whatever reason, our code didn't update and it*

*jumped to 34.34, which is supposed be for commercial bldgs about rodent harborage; and AMANDA just didn't update; a change we need to make internally; I thought most of these were completely but clearly, they are not*

- we need to proof read the code section before the letters go out*
- the house is not under Revocation, etc. so there's nothing that would prohibit the owner from renting it out*
- on TISH: the water heater was identified about not being properly installed for a couple of reasons (without permit)*

*Ms. Moermond:*

*-but the water heater was not actually called out in the current Orders*

*Mr. Strouth:*

*-entered photo of tag on water heater - 1998; he changed the cap on it*  
*-had a new TISH done; entered it*  
*-there is recessed lighting; was there when I bought the house from an owner-occupant*

*Ms. Moermond:*

*-reviewed new TISH with Mr. Neis*  
*-#1 exposed wiring (Mr. Neis: that's not the right code section; I have to Withdraw that Order)*  
*-given this was an owner-occupied; was there a flaw with the lighting? We have no photos*

*Mr. Strouth:*

*-trying to make sure that I did everything right, I called an electrician to look at everything; he said it was all up to code*

*Mr. Neis:*

*-in a situation like this when we're dealing with work that's 10-20 years old (guessing prior to 2007, we are concerned with was it done right? was it done safely? and is it code compliance; typically, we ask that the owner get a licensed trade person out there to make sure that it's right; next, are they willing to put their name on it; it looks as though Mr. Strouth has that*  
*-is willing to abate the recessed lighting as properly done*  
*-the only thing he sees on the wet bar in the basement is that they spliced an extension cord and wired it in; but you are to use a rated cord; it serves the same function; the disposal is not required so an option is just to take it out; if you removed the disposal, you don't need a plumbing permit*  
*-the 2015 TISH report identified the plumbing: taped waste piping in the basement on the stack; putty on waste in bathroom*  
*-the only thing I see on the new TISH Report is the disposal*

*Ms. Moermond:*

*-you can take care of the disposal; if the inspector sees a specific problem with the hook-up of the toilet, or whatever, we'll have some specific information about what he is seeing, which I don't have now*

*Mr. Strouth:*

*-the tape on the pipe was just a decorative thing - black duct tape to cover spots*

*Ms. Moermond:*

*-we have the egress window in the basement that needs a hook ladder; installation is correct; inspector has checked*

Mr. Strouth:

-will pick up a hook ladder today for the escape window  
-back to the garbage disposal; it's a very minor thing; if it's under \$500, do I need to pull a permit?

Mr. Neis:

-some disposals just plug in; this one clearly, did not; it does need a permit;  
-a plumbing permit is usually pulled when somebody puts in a disposal; don't usually pull 2 separate permits

Mr. Strouth:

-that disposal has been there for 8 years  
-it won't cause a fire; I think that's the issue we're concerned about; I will bring an electrician to wire it up and I will get you an invoice

Mr. Neis:

-our inspectors don't have the capability of verifying if the wires are done correctly when it comes to appliances; I believe the code says a permit is required; I'll consult with the electrical inspector to know for sure; if Mr. Moynihan says, "It's fine;" OK; I'll call him now

Mr. Strouth:

-I'm going to let the electrician do it so we are all happy about it

RECESS taken to make that call.

Mr. Neis:

-I wasn't able to get a hold of Mr. Moynihan but I did get his assistant, Joe Dabe; the letter of the law would require an electrical permit to make sure that it's done properly

Ms. Moermond:

-so, that's the 1 permit that you need to pull; the alternative is to remove the garbage disposal  
-the handrails are under control  
-the egress window is solidly installed; just add the hook ladder  
-smoke detector was just entered  
-you also got the CO test on the furnace

Ms. Moermond:

Item 1 has been withdrawn by dept

Item 2 - abated

Item 3 - deny the appeal and owner needs electrical permit pulled

Item 4 - need confirmation that the egress window is installed properly

Item 5 - abated (submitted at hearing)

**Referred to the City Council due back on 10/19/2016**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 7      [RLH VBR 16-64](#)      Appeal of Alexander Bassey-Black to a Vacant Building Registration Renewal Notice at 2137 NORTONIA AVENUE.

Sponsors: Prince

Alexander Basse-Black, owner, appeared.

Ms. Moermond:  
-we were talking about lack of utility usage

Mr. Basse-Black:  
-the utility has been on since 2014

Ms. Moermond:  
-I don't understand; how can it be off and turned on at the same time? On paper it looks as though Xcel is off but in reality it sounds like it's on  
-and, you bought a Registered VB and the seller did not disclose that to you

Mr. Basse-Black:  
-I came home one day and utility was off

Inspector Matt Dornfeld:  
-I can't confirm whether Xcel is on or off  
-we can meet there to see if the lights are on

Mr. Basse-Black:  
-Mr. Nelmark saw the lights on; he came in one day and he said that he was going to come back but I haven't seen him since; I tried to call him back in 2014  
-I have with me my Xcel bills

Ms. Moermond:  
-the records go back & forth on it being a Category 1 and Category 2 VB; right now, it sounds like you have it listed as a Cat 1 VB; am I wrong?

Mr. Dornfeld:  
-it was opened as a Cat 1 VB in 2009 and monitored that way until Nov 17, 2011 when Inspector Nelmark changed it to a Cat 2 VB ; it's been that way since

Ms. Moermond:  
-here's what I'm stuck with: it's been a Reg VB since 2009 and for the first couple of years, it had just a couple of things that it needed -they called it a Category 1 VB (turn-key); after those 2 years passed, buildings deteriorate but also the code says that you turn into a Cat 2 VB, which means that you have to pass a Code Compliance Inspection (4 trades) in order for it to be habitable; this has been over the course of 7 years, which makes it entrenched as a VB that needs this inspection process  
-I'm concerned about the amount of money that you spend on the property; it's more than what the market would value the property at

Mr. Basse-Black:  
-I purchased the house for \$170,000+; and for the past 2 months, it's been very rough for me; 2-3 hours of sleep each night; like today, I was up at 5 am after 2 hours of sleep  
-I moved into this house around 2009 and have lived there for almost 7 years

Ms. Moermond:  
-then, the person who sold you the house knew that this was a Reg VB; they knew it wasn't allowed to be occupied; because it was sold on Contract for Deed, you didn't get any kind of disclosure of it's legal circumstances; although, it says in the Contract that she has disclosed all of the zoning, housing and building issues; you were taken advantage of; the owner let you buy the house knowing it was a Reg VB and you

can't stay but I don't know what your options are  
 -you must vacate by Mon, Oct 24, 2016  
 -if you want to stay, order a Code Compliance Inspection; when you get the report back, you'll need to fix the items of deficiency; then, you can move back in  
 -City Council Public Hearing Oct 19, 2016

Mr. Basse-Black:  
 -what if an inspector comes and takes a look.....

Ms. Moermond:  
 -Mr. Dornfeld, could you work with a Seeger only perhaps or what do you think?

Mr. Dornfeld:  
 -I can certainly go out and perform a life safety inspection and get back to you in a week  
 -will meet Mr. Basse-Black there Monday, Oct 3, 2016 at 10 am

Ms. Moermond:  
 -I can hold off on locking in on a decision until you've been through the property

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Supervisor Matt Dornfeld to inspect property on Monday, October 3 to determine life safety issues and status of the property and determine if it should be in the VB Program as a VB Category 2.

F/U: Inspector Matt Dornfeld stated he and Inspector Singerhouse visited the property on October 3 and found that the interior is fully furnished, clean and there were no life safety issues. The exterior of the house is in fair/good condition and the property area is maintained.

Ms. Moermond stated that it was a Category 1, Vacant Building when the file was opened. It was re-occupied not long thereafter; however, he was unaware of this and the building became Category 2, VB. Recommend granting the appeal.

**Referred to the City Council due back on 10/19/2016**

- 8 [RLH VBR 16-62](#) Appeal of Noela Suhfor to a Vacant Building Registration Requirement and Fire Inspection Correction Notice at 1007 OXFORD STREET NORTH.

**Sponsors:** Brendmoen

Noela Suhfor, owner, appeared.

Inspector Matt Dornfeld:  
 -looks as though Fire just put some photos in the system  
 -there is a C of O with deficiencies on file issued in late Aug but I don't see any updated report from their inspection on 9-27-16

Ms. Suhfor:  
 -thinks that Alexander Basse-Black is the previous buyer

Ms. Moermond:  
 -you live in Maple Grove and stop by this house now and then for lunch or so  
 -interesting that both you & Mr. Basse-Black paid about the same amount of money for properties that are valued by Ramsey Co at less than half of that; you paid about \$250,000 and the county values it at \$119,100

*-you & Alice O Bassey share the same PO Box in Maple Grove*

*Ms. Suhfor:*

*-we spend nights over there on the weekends*

*-will move there in Nov*

*-roof: called into insurance; they are processing it*

*-Alice O Bassey is the title owner, so she likes to get all the correspondence*

*Ms. Moermond:*

*-reviewed the new photos and sees work that needs to be done*

*-on the Jun 30 inspection, Ms. Shaff said that they found the house to be unoccupied and water usage nominal so, they concluded that it should be a Registered Vacant Building*

*-I will send this to the City Council on Oct 19, 2016 and if DSI verifies that you are occupying the house by Nov 18, you will be released from the VB Program; if they find that you are not occupying the house, you will be in the VB Program*

*Mr. Dornfeld:*

*-asked the Appellant to give him a call when she has moved in permanently*

*Ms. Moermond:*

*If inspector can verify that Ms. Suhfor is occupying the property by November 18, 2016, she will be released from the Vacant Building Program.*

**Referred to the City Council due back on 10/19/2016**