



# 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, October 27, 2015

9:00 AM

Room 330 City Hall & Court House

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### 9:00 a.m. Hearings

#### Remove/Repair Orders

- 1 [RLH RR 15-39](#) Ordering the razing and removal of the structures at 179 ATWATER STREET within fifteen (15) days after the November 4, 2015, City Council Public Hearing.

**Sponsors:** Thao

*Greta Bjerkness, Attorney, Wilford, Geske & Cook on behalf of Ocwen Loan Servicing LLC, Woodbury, MN, appeared.*

*Inspector Steve Magner, Vacant Buildings:*

*-read the letter sent to Ms. Bjerkness on Oct 14, 2015 (attached)*  
*-that letter was based on the fact that, originally, they had sent in an application for the code compliance inspection back on Oct 8; later that day, per customer request, they cancelled that request, so DSI didn't have a code compliance application so they couldn't move forward with the inspection; as of Oct 27, 2015, we have a new code compliance inspection application fee paid*  
*-there is some concern about emails that went back and forth over the last 2 weeks indicating that they weren't planning to do the clean-out right away, which might hamper the city's efforts to perform the code compliance inspection*  
*-we still do not have the \$5,000 performance deposit*  
*-a Work Order was performed by Parks on Oct 15 based off an Oct 9 Summary Abatement, which was sent to both Ocwen, West Palm Beach, FL and to Altsource Portfolio Solutions, Atlanta, GA*

*Ms. Moermond:*

*-no clean-out*  
*-no performance deposit*  
*-not maintaining the property*

*Ms. Bjerkness:*

*-part of the reason for the delay is that her client didn't get possession of the house until Oct 7, 2015; a notice was posted on the house Oct 9, which is part of the House Court Statute, that if there's personal property left in the building, you need to keep it and store it; you don't need to keep it on site*  
*-the last week, they've been trying to figure out if they can remove it or if it can be removed and stored; she just got confirmation from the local property preservation that they are planning to remove the personal property on Nov 3 and store it*

*Ms. Moermond:*

- asked why there was confusion about that?*
- the performance deposit?*

*Ms. Bjerkness:*

- probably because she didn't think it had to be stored because it appeared to be trash, not personal belongings*
- she wasn't aware that a performance deposit was required before the code compliance inspection*

*Ms. Moermond:*

- it's in all the letters*
- what does your client want?*

*Ms. Bjerkness:*

- her client wants more time; once the code compliance inspection is completed, her client will make a decision on whether to rehab or move forward with demolition*

*Ms. Moermond:*

- sometimes owners hire a general contractor, who's done this sort of thing in the past, to go thru, make an initial assessment and come up with how much it might cost*

*Ms. Bjerkness:*

- her understanding is that they want to code compliance inspection to place first*

*Mr. Magner:*

- normally, in this situation, banks are a little bit more proactive; maybe she can express that her client hire a general contractor, who is familiar with the codes to put together a false work plan currently for rehabilitation and then, they can adjust it after they actually get the code compliance report because it seems to him, if we wait for it to be cleaned out; then, wait for the inspection and report; then, wait for Ocwen to make a decision, it might be another month down the trail and he doesn't think the Council wants to wait that long; a decision might be able to be made even before a code compliance inspection is done*
- some of what needs to be done is fairly obvious; he was in the bldg the other day and it's tough; at minimum, there's foundation work, siding, roofing, garage may need to be torn down, etc....*

*Ms. Moermond:*

- it was very disappointing to get the call from DSI saying that Ocwen withdrew their application for a code compliance inspection within 24 hours of her saying, "I'm going to call the building official and have him expedite the inspection," which she did*

*Ms. Bjerkness:*

- she was told that there was some communications back and forth between their local property preservation and Mr. Yannarely saying to not even submit the code compliance inspection application and the fee because the property was going to be demolished; she thinks there was some confusion between the other players....*

*Mr. Moermond:*

- the City Council Public Hearing is scheduled for Nov 4, 2015*
- if your client really wants to do this, they will expedite the clean-out and post the \$5,000 performance deposit; she would also like to see a preliminary work plan*
- she doesn't understand why it's taking Ocwen so long to make a decision when the*

*Order to Abate has been out there for so long  
-as it stands, she will go ahead and recommend demolition and if Ocwen wants to do something, they will need to plead to the Council to do that and demonstrate their interest, tangibly  
-if you can show me that a contractor's been thru the bldg and developed an estimate and if you can get that clean-out done more quickly so that the person will actually have a chance to do that (we were talking about this 2 weeks ago; it just doesn't indicate a very strong interest).....  
-she might change her recommendation if your client did those things - bring back a proposal before Nov 4 that may change her recommendation from an Order to Remove to let's Lay this Over for a couple of weeks*

*Remove within 15 days with no option for repair unless owner can expedite the clean out of the property, post a \$5,000 performance deposit and provide a preliminary work plan by a general contractor prior to the City Council public hearing on November 4, 2015.*

**Referred to the City Council due back on 11/4/2015**

**2**      [RLH RR 15-13](#)

Ordering the razing and removal of the structures at 870 FULLER AVENUE within fifteen (15) days after the June 3, 2015, City Council Public Hearing. (Amended to grant 15 days removal of the structure)

**Sponsors:**      Thao

*Andy Barnett appeared.*

*Ms. Moermond:*

*-the last we heard on this was that Maliq Davis had given up trying to acquire this property because there's a cloud on the title; the property has both E. Diane Smith and her mother, Juanita Oliver's names on the title; Juanita is deceased; she left her interest in the property to both of her children: E. Diane Davis and James Oliver; Mr. Oliver is in TX and when Maliq Davis talked with him, he was not interested in giving up his interest in the property; Mr. Barnett wanted to follow thru to see if he could convince him otherwise*

*Mr. Barnett:*

*-has had a couple of conversations with Mr. Oliver over the last couple weeks; in the most recent conversation, Mr. Oliver was interested in quieting his claim on the property so that we could move ahead; he said that he would do whatever his sister has in mind but he hasn't been able to make contact with him this week; Mr. Oliver left no address; they have communicated by phone; he said that he would get back in touch with Mr. Barnett with an email address so that Mr. Barnett could send him information about Quit Claim Deed, etc.  
-Kenneth Shaw is Ms. Smith's daughter's partner*

*Inspector Steve Magner, Vacant Buildings:*

*-asked who was going to facilitate the probate action or quieting the title?*

*Mr. Barnett:*

*-will acquire an attorney, if necessary; hopefully, it can be handled with a quit claim deed*

*Ms. Moermond:*

*-is disappointed; it's been so long; false starts, etc. and property is not getting better  
-if this forfeits, right now, Ramsey County is not certain that it's going to continue its 4R Program; if it does continue the 4R Program and is interested in rehabilitating it, it*

would certainly be 2 years beyond next year that before we'd reach conclusion of a rehabilitation, which isn't particularly respectful of the process; if the county gets it, they will offer it to the city as a first look; the city, right now, is divesting itself of its portfolio rather than adding to it so, it may go to auction

Mr. Barnett:

-Rondo has had a program for the last couple of years thru Home Fund and development partners where we've been able to establish a pool fund from the state housing finance agency for acquisition and rehab on county owned properties to expedite that process so that when the HRA has the chance to have a first look at these properties, we already have a funding tool in place for developers who are interested..and we've been able to move those properties pretty fast once the city has that opportunity (776 Minnehaha - under construction-forfeitures from 2014)  
-his interest in this from the Home Fund standpoint is that 2 developers have looked at it and said that it's a re-developable property; it would be a lot cheaper to re-develop it than to tear it down  
-he is sure that Mr. Oliver doesn't have a fixed address or he would have sent it to him; he lives in Houston, TX and has a cell phone: 713/398-7942; I was trying to establish a way to get him this information - quit claim

Mr. Magner:

-we need to ask Ms. Skarda if that's going to suffice with a quit claim; doesn't know whether quit claims from 2 parties will quiet the title  
-suggested that Mr. Barnett get an attorney  
-at the Sep 22 LH, this information was disseminated and nothing but a phone call has been transacted; at this rate, we will still be here next spring  
-some action has to be taken; the title can still be quieted without Mr. Oliver's action; someone can hire an attorney and quiet the title; Ms. Smith can do that; if she doesn't have the funds to do that, we need to reach out to Southern Minnesota Regional Legal Services (SMRLS) to get her an attorney to quiet the title

Ms. Moermond:

-she thinks that one of the developers should be able to pony up those funds  
-someone has to step up to the plate; it's been dragging out since Mar

Mr. Barnett:

-he'd be willing provide the funds for an attorney

Ms. Moermond:

-bring an attorney with you in a couple of weeks; someone who's had a chance to look at this situation and come up with a plan for quieting the title; then, we can develop some time lines and work from that point forward; it's a starting point  
-get that attorney and let's talk about quieting the title and what can be done as quickly as possible, legally, to get you in title  
-will Lay this Over for 2 weeks

To be referred back to LH on November 10; continue public hearing to November 18. Andy Barnett needs to talk to an attorney to move forward with quieting the title between Mr. James Oliver and Ms. E Dianne Smith and put together a work plan.

**Referred to the City Council due back on 11/4/2015**

**3**      [RLH RR 15-40](#)

Ordering the rehabilitation or razing and removal of the structures at 719 PAYNE AVENUE within fifteen (15) days after the November 4, 2015, City Council Public Hearing. (To be referred back to November 10 and 24 Legislative Hearings and continue the Public Hearing to

December 2, 2015)

**Sponsors:** Bostrom

*Abdiwoli Ali and Abdirahman Ali, Alka Inc, owner, appeared; also, Rich Thomasgard, African Development Center, appeared.*

*Ms. Moermond:*

*-the last LH was very promising; progress is good; she expects that at the next hearing or the following one, we can lock in a "yes" answer for you folks; there's a couple more hurdles to go*

*Inspector Steve Magner, Vacant Buildings:*

*-read letter sent out Oct 15, 2015 (attached)*

*-asked that \$5,000 performance deposit be posted (Done)*

*-asked that more bids be submitted and talk with Jeff Fischbach and other agencies to help fund*

*-read email from Jeff Fischbach (attached); dropped coffee shop idea; Zoning needs to see floor plan and site plan; parking*

*Ms. Moermond:*

*-the code compliance inspection report was written for use as a gas station; thinks we might need a new code compliance inspection report that talks about this being used as a convenience store (different expectations)*

*Mr. Magner:*

*-no; they talked about it and said that because the deficiencies identified on the code compliance inspection report are primary to the building and most of it's retail; he had mis-spoken before when he said that there were bays there; there aren't any bays there; so, it's primarily retail and that's what they want to do; as long as there's no change of use, the code compliance inspection report will be affective*

*-the bigger issue is the tank abandonment that has to occur; islands with pumps and the canopy; the city needs to know what they plan to do with that; if they plan to keep them, then, they need to be repaired; if the plan not to keep them, then, it all needs to be removed*

*-the zoning is OK*

*Mr. Ali:*

*-spoke with Denise at Environmental Response and Mary Lou - they called back yesterday and told me that Jane will come out to take a look; waiting*

*-they already has the tanks tested*

*-will be getting a \$50,000 loan in a couple of weeks*

*Other Mr. Ali:*

*-he contacted a couple of contractors who take out gas tanks; one bid for \$30,000; waiting for the other one; roof bid \$10,000; construction for bldg: from \$80,000 - \$136,000*

*Ms. Moermond:*

*-scanned their documents*

*Mr. Thomasgard:*

*-we are a small business loan company and we are actively looking to do a loan for this project*

*-talked about an architect taking a look at no cost with the goal of developing a specification to fix it up; take that to get bids; would like to have a team approach to develop a comprehensive; we need to do that for our loan process; we need more*

*time to keep this going*

*Ms. Moermond:*

*-she's thinking that will take a few weeks*

*Mr. Thomasgard:*

*-for them, it will take longer in order to get a loan commitment from them and in order to get to the point where they know more about the costs - maybe a couple of months to go thru their loan process; they are not a private commercial bank but they have a process that they have to go thru; the tanks need to be removed; contractors need to be lined up; etc...,*

*Ms. Moermond:*

*-then she'd like to monitor progress along the way so that she can report to the Council how things are going and push out the City Council Public Hearing date so that the matter isn't considered by the Council until you have things more together -right now, the CCPH is scheduled for Nov 4, 2015; she will ask them to continue that until Dec 2, 2015 CCPH and see you folks a couple time before then to walk thru the progress made*

*Mr. Magner:*

*-concern: they have a code compliance inspection report, which for most contractors, details out enough information to put together estimates; are we talking about putting a different facade on the building? What's the reason for the architect?*

*Mr. Thomasgard:*

*-no, we're not talking about totally re-doing the front of the building; thinks we are talking about stabilizing the shell, putting on a new roof, repairing the interior, etc....in his experience, he just thinks it would be a good idea to have an architect take a look at it with a contractor*

*Mr. Magner:*

*-someone paid for a code compliance inspection report; DSI is a regulatory body of the city; we had 4 trade people go out there to compile a list of repairs that need to be done to code; his concern about taking more time with this is that we believe from a code/city standpoint, that the items needed to identify remedial actions for repair are already in print and are available for any contractor to look at; if questions, they can ask DSI personnel; he doesn't want to delay this; the Ali's want to get moving and time is money; doesn't know if Mr. Thomasgard is aware that a certain level of detail of repairs have already been made and is listed in the code compliance inspection report*

*-maybe an architect could take a look as a phase 2 process (?)*

*-suggested that he email the code compliance inspection report to his architect/people that he works with and ask them if it's enough to work from? Can we get going?*

*Mr. Thomasgard:*

*-that makes sense to me*

*-he read thru the document and wasn't sure what was "boiler plate" so to speak vs. specific items*

*-when he mentioned architect, he's not talking a large firm; he's talking about a 2-person operation that moves quickly - a meat & potatoes type of analysis*

*Ms. Moermond:*

*-here's where she's at: the money that is going to be required and demonstrated is really dependent on where these contractors are at; she would like to see a Work*

*Plan the next time we sit down; and if you're spending 6 months on it and if the first month is dealing with architectural concerns, she has no issue with that; next, let's move on; or maybe phase 1 is closing the loan, whatever it is, let's get a map/work plan of what the next few months are going to look like so that we can bring that to the City Council; she can't recommend approval to the City Council without having the financing locked in*

*-advises that you hold off fixing anything until your money is locked in (be careful with your money)*

*Mr. Ali:*

*-concern now: every time it rains, the roof leaks*

*Ms. Moermond:*

*-roofers go out in the winter, too, as long as there isn't snow; perhaps a temporary measure could be taken to stop the leak*

*Mr. Magner:*

*-suggests they patch the roof where it leaks, so that if they need to wait thru the winter, the roof won't be leaking*

*Ms. Moermond:*

*-let's talk again in 2 weeks; we'll talk about bids you've gotten for stabilizing the roof (a quick fix); bring her a bid and she will send it thru to the bldg official so that you can pull a permit to do the quick fix*

*-Layover to Nov 10, 2015 LH for remedial roof work*

*-then, will we see you next on Nov 24 LH to look at your developed Work Plan*

*To be referred back to November 10 and 24 Legislative Hearings and continue City Council Public Hearing to December 2, 2015.*

*Owners to provide bids and work plan for stabilization of the roof so it can be discussed at the November 10 hearing.*

**Referred to the City Council due back on 11/4/2015**

**4**      [RLH RR 15-41](#)

Ordering the razing and removal of the structures at 421 CURTICE STREET WEST within fifteen (15) days after the November 18, 2015, City Council Public Hearing.

**Sponsors:**      Thune

*Inspector Steve Magner, Vacant Buildings:*

*-The building is a two-story, wood frame, duplex with a detached four-stall garage on a lot of 10,454 square feet. According to our files, it has been a vacant building since December 19, 2012.*

*-The current property owner is David T. Geissinger and Nancy A. Geissinger per AMANDA and Ramsey County Property records.*

*-On August 17, 2015 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed; photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on August 20, 2015 with a compliance date of September 19, 2015. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*

*-Taxation has placed an estimated market value of \$33,100 on the land and \$113,600 on the building.*

*-Real estate taxes are current.*

*-The Vacant Building registration fee was paid by assessment on January 2, 2015.*

*-As of October 26, 2015, a Code Compliance Inspection has not been done.*

-As of October 26, 2015, the \$5,000 performance deposit has not been posted.  
-There were thirteen (13) SUMMARY ABATEMENT NOTICES since 2012.  
-There were twelve (12) WORK ORDER issued for:  
- Garbage/rubbish; Boarding/securing; Grass/weeds; Snow/ice  
-Code Enforcement Officers estimate the cost to repair this structure exceeds \$75,000. The estimated cost to demolish exceeds \$20,000.  
-DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.

Ms. Moermond:

-Geissingers have their name on the property but we have a trustee in care of Altisource; we have Household Industrial Finance Co and PFB Law  
-it looks like a foreclosure

Mr. Magner:

-sees that Ms. Spong isn't here today; perhaps, she can send her HPC report to you

Ms. Moermond:

-she thinks Ms. Spong would describe this as a significantly modified structure; it does not have original windows or doors; the shake siding might be original but it's not present throughout

Mr. Magner:

-Summary Abatement for boarding Oct 14, 2015; SA in Aug; Work Order for garbage and tall grass & Weeds in Aug; garbage cleanup in Apr & May; snow/ice in Dec 2013  
- spread out maintenance done by city

Ms. Moermond:

-this is not being maintained; it's been a VB for 3 years; looks like it's been completely abandoned by previous owner and bank  
-will recommend removal within 15 days with no option for rehabilitation

Remove within 15 days with no option for repair. No one appeared.

**Referred to the City Council due back on 11/18/2015**

**5**      [RLH OA 15-13](#)

Making recommendation to Ramsey County on the application of Charnell Hudson for repurchase of tax forfeited property at 134 ELIZABETH STREET EAST.

**Sponsors:**      Thune

*Inspector Steve Magner, Vacant Buildings:*

-provided a packet for Ms. Moermond  
-have tracked down the ownership on this property; Charnell Hudson, owner of the property went tax forfeit on Jul 31, 2015 when Ramsey County took ownership. There's a mechanics lien for the amount of \$10,000 that was filed by \_\_\_\_ on Oct 3, 2013 by Thomas Shillfone, who also listed his address as 134 Elizabeth Street.  
History: Lyle Hall purchased the 3 tax forfeited properties from Ramsey County Apr 26, 2001: 120 Elizabeth St East; 134 Elizabeth St East; and 644 Robert St South; they are adjoining parcels. In his will, Mr. Hall bequeathed all 3 properties to Our Lady Of Guadeloupe Church to be used for charitable work for Latin Americans coming to the United States. He also appointed his brother, Carroll Hall, as the personal representative to his estate. Mr. Hall passed away on Jul 31, 2010. The church board met and declined the bequest of all 3 parcels of property made by Mr.



*Hall in his will. (See disclaimer deed Jul 13, 2012.) So, Carroll Hall and JoAnn Hall executed a Warranty Deed on Jul 20, 2012 granting title to the property to Charnell Hudson. In the issuance of this Warranty Deed, there does not seem to be any cost of this transaction, so, we don't know whether she paid anything for it or not -so, that's how Ms. Hudson comes to own this property without a mortgage, etc, but since she acquired her property, the taxes have never been paid and it has gone back to Ramsey County*

*Ms. Moermond:*

*-Jul 2013, she entered jail; mechanics lien put on the property Oct 3, 2013; and in that general time period, there was a lot of police activity at the property, as well; doesn't know what the connection was*

*Mr. Magner:*

*-based on his review, he thinks that DSI would not make a recommendation for Repurchase due to the fact that we do not have a clear enough understanding of all of the actions that occurred and are concerned that there was a high level of police activity at this property during her possession of it; doesn't seem to be a good fit for the community*

*-his recommendation would be to not move forward with the Repurchase*

*Ms. Moermond:*

*-there was a Certificate of Occupancy Inspection there recently and there are physical problems with the house; the Revocation of the C of O letter was sent Oct 20, 2015*

*-she is struggling with this a little more; there was no police activity out there from Jan 2015 to the present*

*-she was released Jun 1, 2015 from the halfway house in Roseville to her own home*

*Mr. Magner:*

*-29 violations exist on the Revocation- primarily on Chap 34 violations of basic legislative housing code, which require them to be brought into compliance*

*Ms. Moermond:*

*-somehow the troublemakers got kicked out of there because police calls have gone down to nothing*

*-she doesn't want to assume that this house will continue to be a police problem if it's dropped off their radar for so long*

*Mr. Magner:*

*-still has a concern - the taxes haven't been paid; if there were parties living there, they should be forwarding the mail and making arrangements for paying the taxes -now, we have a Revocation; the next thing is that they will vacate the property and send it to the Vacant Building Program; once they vacate it, it will become a Category 2 VB and it will need to be code compliant in order for someone to re-occupy it -Ramsey County isn't going to fix the property*

*Ms. Moermond:*

*-in the last 5 years, has this property presented itself as a municipal or police problem? Yes, it has*

*-will recommend to not allow for RePurchase*

*Deny repurchase of the property.*

**Referred to the City Council due back on 11/18/2015**

**11:00 a.m. Hearings****Summary Abatement Orders****11:30 a.m. Hearings****Orders To Vacate, Condemnations and Revocations**

- 6 [RLH VO 15-50](#) Appeal of Charlotte Mahone and Casey Borrego to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 649-651 IVY AVENUE EAST. (To be referred back to November 10 Legislative Hearing and November 18, 2015 Public Hearing)

**Sponsors:** Bostrom

*To be referred back to Legislative Hearing on November 10; Public Hearing continued to November 18.*

*Charlotte Mahone and Wallace Kent, occupants, appeared.*

*Mr. Kent:*

*-still looking for a place to go; have an appointment tomorrow*

*Ms. Mahone:*

*-working with House Calls*

*-they are not paying rent but the people (Samuel Daniels) upstairs are still paying rent*

*-noted that Mr. Daniels has a bluish gray complexion*

*Ms. Moermond:*

*-House Calls said that they can get you help with the security deposit and help you move on*

*-they can also talk to a potential landlord about that financial assistance*

*Fire Inspector Leanna Shaff:*

*-doesn't have any updates; it's been in a hold pattern*

*Ms. Moermond:*

*-Mr. Daniels is in his 40-50's; asked Ms. Shaff to check up on him*

*-let's talk again in 2 weeks*

*-if the landlord rents to you tomorrow, let me know*

*Ms. Shaff:*

*-wants to empty the other unit; although they don't have an appeal*

*Ms. Moermond:*

*-keep hunting*

*-10 LH at 1:30 pm; hopefully, we'll have good news*

**Referred to the City Council due back on 11/4/2015**

**1:30 p.m. Hearings**

**Fire Certificates of Occupancy**

- 7 [RLH FCO  
15-255](#) Appeal of Tracy Lowmanstone to a Fire Inspection Correction Notice at 1006 VAN BUREN AVENUE.

**Sponsors:** Thao

*Tracy Lowmanstone, Administrator of the Estate of Bruce Stone, appeared.*

*Fire Inspector A.J. Neis:*

*-Fire Certificate of Occupancy Correction Notice by Inspector Jonathan Gaulke*

*-#8 is being appealed: ceiling ht in upper bedroom; it measures 6'5"*

*-the whole area is 170 sq.ft.*

*-code is 7' high*

*Ms. Moermond:*

*-looks like 1/3 of the area is over 5' high*

*Ms. Lowmanstone:*

*-rental property; 2 bedrooms on main level; 1 on the upper level*

*Ms. Moermond:*

*-has some concerns about this*

*Mr. Neis:*

*-the new code did not change the ceiling ht of an attic space/upper level; it only changed the ceiling ht of a basement to 6'4"*

*Ms. Moermond:*

*-attic ceiling ht of 6'5" is too low (smoke accumulation and head room)*

*-code requires 7' high over 50% of the area; you have 6'5' over approximately 1/3 of the area*

*-will deny this appeal; grant extension to Feb 1, 2016 to disallow use of attic area for sleeping*

*Deny a variance on the upper bedroom ceiling height and grant an extension to February 1, 2016 to not use the room as a bedroom.*

**Referred to the City Council due back on 11/18/2015**

- 8 [RLH FCO  
15-285](#) Appeal of Dave Unger to a Fire Inspection Correction Notice at 1111 CASE AVENUE.

**Sponsors:** Bostrom

*Dave Unger, owner, appeared.*

*Fire Inspector A. J. Neis:*

*-Fire Certificate of Occupancy Correction Notice by Inspector James Thomas*

*-appealed: egress window of the bedroom on south side of the house exits onto an enclosed porch*

*-egress windows have to exit directly to the outside*

*-photo*

*Mr. Unger:*

-first floor front porch; most of the windows are gone; it was a 3 season porch at one time; it has a screen door on the front of the porch

-fire inspector said that he could probably take the door or just take off the lock

Mr. Neis:

-the floor of the porch slopes; apparently, when this porch was built, it was not enclosed

-the solution: take out the windows; return the porch to its original state

Mr. Unger:

-clarification: just take out the windows or take out the lumber, as well?

Mr. Neis:

-just the windows

Ms. Moermond:

-she takes issue with the window framing being present

-the door has to go; the windows and framing needs to go

-compliance of removing windows and door by Nov 16, 2015

-you'd be well served to remove the lumber; remove window framing by Jun 1, 2016

Grant until November 16 for the removal of the glass windows and door; grant until June 1, 2016 to remove the lumber window frames.

**Referred to the City Council due back on 11/18/2015**

**9**      [RLH FCO  
15-281](#)

Appeal of Jason and Ashley Welke to a Re- Inspection Fire Certificate of Occupancy with Deficiencies at 1886 ORANGE AVENUE EAST.

**Sponsors:**      Bostrom

Jason Welke, owner and Van Welke appeared.

Fire Inspector A.J. Neis:

-Fire Certificate of Occupancy Correction Notice

-one item is being appealed: cracks in the hallway and living room ceilings

-photos

-spoke with owner prior to this hearing; it's lathe and plaster and there are several cracks; they have been there throughout Mr. Welke's ownership (11 years) and they haven't expanded or increased in number

-1 1/2 story house; there's no plumbing above

Mr. Van Welke:

-the attic space is not heated; there is old blanket insulation between the rafters that was laid previous to his ownership

-they've done a lot of work in the house; permits have been pulled

-the elderly lady who owned it before Jason had someone come in to patch the ceiling and spray it like popcorn but even before they bought it, the cracks had opened up again because of the expansion/contraction

-checked and none of the plaster is loose

-Jason got a letter from the tenants, who've been in there for 18 months, and they haven't seen any change in the cracks

-so, in 11 years, those cracks haven't changed at all

Ms. Moermond:

-this appeal is granted for the time being

-adding more insulation will be to your benefit; the heat/cold cycle is the enemy of

plaster; get some R32 and roll it out over top of what's there

Mr. Neis:

-this property has an excellent track record of owners pulling permits for everything done

-we can make a note to check on this during the next C of O cycle

Ms. Moermond:

-provided Mr. Welke with a C of O application form

Grant the appeal noting that the cracks will be checked again at the next Fire C of O cycle.

**Referred to the City Council due back on 11/18/2015**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 10 [RLH SAO 15-70](#) Appeal of William A. Harvey to a Summary Abatement Order at 740 TATUM STREET.

**Sponsors:** Stark

*William A. Harvey, owner, appeared.*

*Inspector Matt Dornfeld, Vacant Buildings:*

*-740 Tatum Street was Condemned Jun 20, 2014 by Code Enforcement Inspector Ed Smith; he documented that the house is clutter-filled and is an extreme fire/safety hazard to all involved with the property; he also documented some code violations on the exterior*

*-it was referred to Kay Witgenstein, Ramsey County House Calls Program, for assistance*

*-photos*

*-VB Inspector Kalis opened a Category 2 Vacant Building due to the Condemnation*

*-Property owner, Wm Harvey got a commercial dumpster on site, according to Inspector Kalis; a small improvement was made*

*-Mr. Dornfeld met with Mr. Harvey, Mr. Kalis and a social worker Sep 3, 2014; owner was living across the street at that time in an apartment complex and claimed to be working slowly towards getting the house cleaned out; Mr. Kalis has been monitoring it since then and is reporting that conditions have stalled or possibly, worsened*

*-Mr. Kalis issued a Summary Abatement for us to remove this nuisance*

*-we are here to discuss the SA to abate the clutter-filled home*

Ms. Moermond:

*-noted that the VB registration renewal from Jul 2015 is also attached*

Mr. Dornfeld:

*-he believes that Mr. Harvey had paid the VB fee because he thought it would allow him more time to continue to work on the clean-out; Mr. Kalis' take on this was that paying the VB fee would give you another year to bring the house into code compliance, but he was not granting another full year to allow the nuisance clutter condition to continue on the interior; he wrote an interior Summary Abatement*

*-inspectors were unable to gain entrance to the house because all 3 of the entrances are clutter-filled and blocked*

*-the goal is to eliminate any fire hazards, combustibles; to clear entries and a passage-way thru the house for First Responders to be able to enter and exit safely; he doesn't know what that would entail because they can't even walk thru the door*

*Mr. Harvey:*

*-still living across the street*

*-I made the assumption in the middle of Jun when he got the VB renewal notice that he was buying another year, so, I've been sluffing off since then; I haven't gotten much done; I have no excuse except that I'm old and don't have much energy*

*-the dumpster from House Calls was so high and he didn't have the body strength to throw stuff in there; so, now, he has a commercial 4' high dumpster*

*-he has collected a lot of electronic and optical items; he used to innovate, invent things; so, he when he saw something that applied to something he wanted to invent or had an idea for, he'd buy it; and that's been going on for many, many years; technically, a lot of it is obsolete; some of that I already got rid of*

*-the house is huge and I packed it full for 28 years; he owns it outright*

*-the project is overwhelming*

*-he'd like to get out things that have value to him, like his collection of silver coins and some books but he hasn't yet been able to find them and get them out; and he still hasn't been able to get into the attic*

*-he is not resisting throwing everything else away*

*Ms. Moermond:*

*-she is more concerned of getting things out with his limited capacity*

*-suggested that he make a list of the things that he wants to keep*

*Mr. Dornfeld:*

*-suggested he hire a company to clean it out; get a code compliance inspection and sell the house*

*-if the city did it, they would subcontract it out, maybe to Restoration Professionals; at least, they would invite them to bid on it*

*-it's a big project but it has simple answers*

*Ms. Moermond:*

*-will give you a deadline to clean it out; if you don't get it done, the city will do it*

*-by Nov 10, you need to have a company hired with an agreement to have the house cleaned-out by Dec 8, 2015; if you don't have a contract by Nov 10, the city will hire a company to do it*

*-will LAY this OVER to Nov 10, at 2:30 pm LH*

*Laid over to November 10; Owner needs to hire a contractor with signed Agreement and paid for by November 10 to clean out the property.*

**Laid Over to the Legislative Hearings due back on 11/10/2015**

**11**     [RLH VBR 15-95](#)     Appeal of Daniel Fowlds to a Vacant Building Registration Renewal Notice at 1515 HAGUE AVENUE.

**Sponsors:**     Thao

*Daniel Fowlds, Living Properties LLC, owner, appeared.*

*Inspector Matt Dornfeld, Vacant Buildings:*

*-made a Category 2 VB in 2012*

*-Living Properties LLC was approved by Sale Review Aug 6, 2015; closed Aug 12, 2015*

*-Nov 6 is the anniversary date*

*Mr. Fowlds:*

- we can finish by the end of the year*
- have previously done 7 VB houses and we had the VB fee waived because we were given time to complete the project*
- siding is asbestos and needs to be abated; underneath is clapboard*
- wondering if there's a way to get approval with just the interior completed; he would prefer to wait until spring so they can remove the asbestos siding and put on wood siding, then, paint*
- they have 25 buildings in St. Paul; have been doing restoration for a long time*

*Ms. Moermond:*

- will recommend granting a 90-day waiver*
- Mr. Fowlds can check with the building official to see if he'd do a partial approval*

*Waive VB fee for 90 days.*

**Referred to the City Council due back on 11/18/2015**