



CITY OF SAINT PAUL
OFFICE OF THE CITY COUNCIL
310 CITY HALL
15 WEST KELLOGG BOULEVARD
SAINT PAUL, MN 55102-1615
Marcia Moermond, Legislative Hearing Officer
EMAIL: legislativehearings@ci.stpaul.mn.us
PHONE: (651) 266-8585 FAX: (651) 266-8574

January 17, 2020

Chris Samuel, Ramsey County Auditor
VIA EMAIL: chris.samuel@co.ramsey.mn.us

Re: Appeal for property at 603 Edmund Avenue

Dear Mr. Samuel:

This is to confirm that on January 2, 2020 at the Legislative Hearing, I developed the following recommendations for the Council with respect to your appeal on the City's Vacant Building Registration requirements for 603 Edmund Avenue:

- **Category of Vacant Building** – this property was designated as a Category 2 Registered Vacant Building by staff when it entered the Vacant Building Program. The following is excerpted from Chapter 43 of the Saint Paul Legislative Code regarding this classification –
 - (7) *Vacant building; categorical classification standards:* A building or portion of a building which is:
 - a. Unoccupied and unsecured. A building or portion of a building meeting this definition is deemed a category I building.
 - b. Unoccupied and secured by other than normal means. A building or portion of a building meeting this definition is deemed a category I building.
 - c. Unoccupied and a dangerous structure. A building or portion of a building meeting this definition is deemed a category III building.
 - d. *Unoccupied and condemned. A building or portion of a building meeting this definition is deemed a category II building.*
 - e. *Unoccupied and has multiple housing or building code violations. A building or portion of a building meeting this definition is deemed a category II building.*
 - f. Condemned and illegally occupied. A building or portion of a building meeting this definition is deemed a category II building.
 - g. Unoccupied for a period of time over three hundred sixty-five (365) days and during which time the enforcement officer has issued an order to correct nuisance conditions. A building or portion of a building meeting this definition is deemed a category I building.

As discussed in the hearing, it is my finding that the scope of the repairs is significant and this property is correctly categorized.

- **Process for Determining Needed Repairs** – in the hearing we discussed the December 31, 2019 code compliance inspection report which the county ordered. It is this report which will be used to determine when the property may be re-occupied. There were 2 questions posed about this report. First, you asked whether there was a possibility for the property to be re-occupied if some, but not all, of the items were addressed, allowing that remaining items could be addressed later. I withheld any determination in this matter, as I believe this is the purview of the Building Official. He indicated in the hearing that he would review proposals using this approach, but would not design an approach or commit to approving a proposal before its submission. The second question was whether there would be substantive differences if this were to be rehabilitated as a single-family home, rather than retaining its status as a duplex. This is also a question best addressed by the building official when there is a specific proposal.
- **Vacant Building Fee** – you inquired about the letter requiring registration of the vacant building and the fee charged for this registration. The form letter you received indicated the standard fee of \$2,127 was required for this property and you noted the county has a lower rate it is charged, per the City’s Legislative Code. Additionally, you indicated you believed there were times when the city billed purchasers of properties for vacant building fees you thought the county had already paid. I will take these issues in turn. The following is excerpted from Chapter 43 of the Saint Paul Legislative Code regarding this classification –

43.04. - Exemptions.

- ...
- (3) *Tax forfeited vacant buildings owned by the State of Minnesota Trust Exempt and managed by Ramsey County Tax Forfeited Land.*
 - (a) These buildings are subject to all requirements of this chapter, except that Ramsey County shall pay an annual registration fee of five hundred twenty-five dollars (\$525.00). This fee is based on city services provided to these properties.
 - (b) The fee shall be paid no later than thirty (30) days after Ramsey County obtains a building.

I have investigated the billing procedures used by the city and county for these fees. I learned that the registration letter you received is not the document used by staff to invoice the county’s vacant building fees. The invoicing occurs using this process: in **January** of each year County Tax Forfeited Lands staff and the City’s Vacant Building staff develop and agree on a list of the County’s registered vacant buildings, **at that point in time**. (So, the City is not invoicing all of the tax forfeited buildings in the program over the course of the year). The City then sends an invoice, which the County pays.

The process for all other properties in the vacant building program is to be billed at the time the building goes into the program. So, if the property enters the program in June of 2018, the original registration letter and bill goes out in June of 2018. The fee covers registration from June 2018 to June 2019. The next registration letter and bill would go out in May of 2019 covering the time period of June 2019 to June 2020. If this particular property were a tax forfeit, the county would pay in January 2019 – but I think there may be a disconnect between the City and County in the understanding of the time period covered. It appears the annual invoicing procedure has acted to muddy the waters about the time period the County’s discounted fee covers. It makes sense to me that invoices should be issued and paid by everyone at the time the building enters the program and then on the anniversary date for any subsequent years it is in the program. However, this is a procedural matter best resolved between the City’s Department of Safety and Inspections and your team.

If you wish to appeal further, you may attend the City Council Public Hearing on January 22, 2020 at 3:30 p.m. in Room 300 City Hall.

If you have any questions, you may contact me at LegislativeHearings@ci.stpaul.mn.us or marcia.moermond@ci.stpaul.mn.us.

Sincerely,

Marcia Moermond

Marcia Moermond
Legislative Hearing Officer

cc: Wesley Pettiford, 603 Edmund Avenue, St. Paul, MN 55103-1612 VIA U.S. MAIL
Samantha Wright, 3758 Hazel Street, White Bear Lake, MN 55110 VIA EMAIL:
samwrigh2@gmail.com
Trista MatasCastillo, Ramsey County Commissioner VIA EMAIL
Stephen Ubl, City of Saint Paul Building Official VIA EMAIL
Steve Magner, Vacant Building Program Manager VIA EMAIL
Matt Dornfeld, Vacant Building Program Supervisor VIA EMAIL