



City of Saint Paul

City Hall and Court House
15 West Kellogg
Boulevard
Phone: 651-266-8560

Master

File Number: ALH 11-121

File ID: ALH 11-121

Type: Appeal-Legislative Hearing

Status: Filed

Version: 1

Contact
Number:

In Control: City Council

File Created: 01/18/2011

File Name: 46 Elizabeth St. E.

Final Action: 01/18/2011

Title: Appeal of Special Tax Assessment for 46 Elizabeth St. E. for Project # CRT1102,
Assessment # 118002 in Ward 2

Notes:

Agenda Date: 01/18/2011

Indexes:

Agenda Number:

Sponsors: Thune

Enactment Date:

Attachments: 46 Elizabeth 1st.pdf, 46 Elizabeth Final.pdf

Financials Included?:

Contact Name:

Hearing Date:

Entered by: westenho@ci.stpaul.mn.us

Ord Effective Date:

Approval History

Version	Date	Approver	Action
---------	------	----------	--------

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	01/18/2011	Referred Under Master Resolution				
	Action Text:		Item is Referred Under Master Resolution				
	Notes:		<i>Approve the assessment and spread the payments over two (2) years.</i>				
			<i>Fire Certificate of Occupancy</i>				
			<i>Jose L. Escoto, owner, appeared.</i>				
			<i>Mr. Escoto explained that the house is not rental property; it is family homesteaded and his son lives there. He pays the payment on the house and he has five (5) kids; he cannot pay for the Fire Certificate of Occupancy inspection. Every year for many years, Mr. Escoto has paid \$50 fee for inspection but this is the first time the house was inspected. He believed that he had been paying for the inspection with the \$50/year fee.</i>				
			<i>Inspector Westenhofer reported that this is a Class C property. Ms. Moermond asked if there was any communication about whether or not this should be in the Fire C of O Program. Mr. Westenhofer</i>				

responded, "No." He did the inspection at that time. The property is homesteaded as relative homestead, which is not owner occupied; so, it is considered a single-family rental property.

Ms. Moermond would like to have a conversation about whether this should be in the Fire Certificate of Occupancy Program. There may be ways to work on the ownership differently, where the son would assume some ownership in the house, not just paying payments but getting his name on the title. With an ownership interest in the house, he may not be subject to the Fire Certificate of Occupancy Program. At this time, the program is very clear that this would be considered non-owner occupied and so it has to be inspected by the Fire Certificate of Occupancy Program. This issue will be discussed in this format at this venue in three (3) weeks, February 8, 2011, at 1:30 p.m.

Ms. Moermond recommended approving the assessment, spreading the payments over two (2) years.

Mr. Escoto asked what the City did with the \$50 he had been paying every year. He thought it should go toward the inspection fee; the inspectors never came until recently. Ms. Moermond responded that the City had a practice of decreasing the first assessment by the amount of the previous year's provisional payment. That policy changed a little over a year ago. It actually costs the City more than it charges to do the inspection. Ms. Moermond suggested that Mr. Escoto attend the City Council Public Hearing on February 2, 2011, if he is looking for a different outcome.

Text of Legislative File ALH 11-121

Appeal of Special Tax Assessment for 46 Elizabeth St. E. for Project # CRT1102, Assessment # 118002 in Ward 2