

RLH VO 20-16



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

MAY 04 2020

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
Telephone: (651) 266-8585

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number _____)
 - Copy of the City-issued orders/letter being appealed
 - Attachments you may wish to include
 - This appeal form completed
 - Walk-In OR Mail-In
- for abatement orders only: Email OR Fax

<p>HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>May 12, 2020</u></p> <p>Time <u>11:00 a.m.</u></p> <p><u>Location of Hearing:</u> Room 330 City Hall/Courthouse <u>Teleconference call</u></p>
--

*between 11:00 a.m. and noon. Call cell.**

Address Being Appealed:

Number & Street: 588 Forest st. City: Saint Paul State: MN Zip: 55106

Appellant/Applicant: Lorn McDowell Email servantlornross@gmail.com

Phone Numbers: Business _____ Residence _____ Cell *651-587-6226

Signature: Lorn Ross McDowell Date: 5-1-2020

Name of Owner (if other than Appellant): Estate of Anne Burns

Mailing Address if Not Appellant's: _____

Phone Numbers: Business _____ Residence _____ Cell _____

What Is Being Appealed and Why? Attachments Are Acceptable

- Vacate Order/Condemnation/Revocation of Fire C of O
- Summary/Vehicle Abatement
- Fire C of O Deficiency List/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

Comments: According to Foreclosure Notice we had until Oct 28th of this year. Notice is included.



CITY OF SAINT PAUL

April 27, 2020

OCCUPANT / OWNER
588 Forest St
St Paul MN 55106-5239

CORRECTION NOTICE - RE-INSPECTION COMPLAINT

RE: 588 FOREST ST
Ref. #

Dear Property Representative:

A re-inspection was made on your building on April 24, 2020, in response to a referral. You are hereby notified that the following deficiencies must be corrected immediately.

Failure to comply may result in a criminal citation or the revocation of the Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

DEFICIENCY LIST

1. **SPLC SECTION 40.12 ILLEGAL OCCUPANCY. No person shall occupy any building which does not have a fire certificate of occupancy. /Any unit or structure which is so occupied shall be subject to the provisions of section 34.23(2) of the legislative code relating to illegal occupancy. Such illegal occupancy also constitutes a hazard to the health, safety or welfare of the occupants and the public „and may be condemned condemned by the fire code official under section 34.23 of the legislative code-**
2. **SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office.-**
3. MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-
4. MN State Statute 299F.50 Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturers instructions.-

Saint Paul Legislative Code authorizes this inspection and collection of inspection fees. For forms, fee schedule, inspection handouts, or information on some of the violations contained in this report, please visit our web page at: <http://www.stpaul.gov/cofo>

You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: 651-266-8585 and must be filed within 10 days of the date of the original orders.

If you have any questions, email me at james.thomas@ci.stpaul.mn.us or call me at 651-266-8983 between 7:30 a.m - 9:00 a.m.

Please help to make Saint Paul a safer city in which to live and work.

Sincerely,

James Thomas
Fire Safety Inspector

Ref. #

NOTICE OF MORTGAGE FORECLOSURE SALE

THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTITY OF THE ORIGINAL CREDITOR WITHIN THE TIME PROVIDED BY LAW IS NOT AFFECTED BY THIS ACTION.

NOTICE IS HEREBY GIVEN: That default has occurred in the conditions of the following described mortgage:

DATE OF MORTGAGE: July 8, 2005

ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$113,000.00

MORTGAGOR(S): Aimee J. Burns, a single woman

MORTGAGEE: Mortgage Electronic Registration Systems, Inc., as nominee for Hartland Mortgage Centers

DATE AND PLACE OF FILING: Recorded on July 25, 2005 as Document Number 3874377 in the Office of the County Recorder of Ramsey County, Minnesota.

ASSIGNMENTS OF MORTGAGE: Assigned to: Loancare, LLC by assignment recorded on January 30, 2020 as Document Number A04795540 in the Office of the County Recorder of Ramsey County, Minnesota.

LEGAL DESCRIPTION OF PROPERTY: Lot 10, Matthew Egan's Subdivision of block 94, Lyman Dayton's Addition, Ramsey County, Minnesota.

STREET ADDRESS OF PROPERTY: 588 FOREST ST, SAINT PAUL, MN 55106

COUNTY IN WHICH PROPERTY IS LOCATED: Ramsey County, Minnesota.

THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON THE DATE OF THE NOTICE: \$89,771.70

TRANSACTION AGENT: Mortgage Electronic Registration Systems, Inc.

NAME OF MORTGAGE ORIGINATOR: Hartland Mortgage Centers

RESIDENTIAL SERVICER: LoanCare, LLC

TAX PARCEL IDENTIFICATION NUMBER: 332922240120

TRANSACTION AGENT'S MORTGAGE IDENTIFICATION NUMBER:
100245000025061246

THAT no action or proceeding has been instituted at law to recover the debt then remaining secured by such mortgage, or any part thereof, or, if the action or proceeding has been instituted, that the same has been discontinued, or that an execution upon the judgment rendered therein has been returned unsatisfied, in whole or in part.

PURSUANT, to the power of sale contained in said mortgage, the above described property will be sold by the Sheriff of said county as follows:

DATE AND TIME OF SALE: April 28, 2020 at 10:00 AM.

PLACE OF SALE: Ramsey County Sheriff's Office, Lowry Building/City Hall Annex, 25 West 4th Street, Suite 150, St. Paul, MN 55101.

to pay the debt then secured by said mortgage and taxes, if any actually paid by the mortgagee, on the premises and the costs and disbursements allowed by law. The time allowed by law for redemption by said mortgagor(s), their personal representatives or assigns is six (6) months from the date of sale.

TIME AND DATE TO VACATE PROPERTY: Unless said mortgage is reinstated or the property redeemed, or unless the time for redemption is reduced by judicial order, you must vacate the premises by 11:59 p.m. on October 28, 2020.

THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES, SECTION 582.032, DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN FIVE UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED.

MORTGAGOR(S) RELEASED FROM FINANCIAL OBLIGATION ON MORTGAGE: None

Dated: February 26, 2020

LOANCARE, LLC
Mortgagee

TROTT LAW, P.C.

By: 

N. Kibongni Fondungallah, Esq.

Samuel R. Coleman, Esq.

Michael van Muelken, Esq.

Attorneys for Mortgagee

25 Dale Street North

St. Paul, MN 55102

(651) 209-9760

(19-1310-FC01)

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR.

HOMESTEAD DESIGNATION

IF PART OF THE PROPERTY TO BE SOLD CONTAINS YOUR HOUSE, YOU MAY DESIGNATE AN AREA AS A HOMESTEAD TO BE SOLD AND REDEEMED SEPARATELY.

YOU MAY DESIGNATE THE HOUSE YOU OCCUPY AND ANY AMOUNT OF THE PROPERTY AS HOMESTEAD. THE DESIGNATED HOMESTEAD PROPERTY MUST CONFORM TO THE LOCAL ZONING ORDINANCES AND BE COMPACT SO THAT IT DOES NOT UNREASONABLY REDUCE THE VALUE OF THE REMAINING PROPERTY.

YOU MUST PROVIDE THE PERSON FORECLOSING ON THE PROPERTY, THE SHERIFF, AND THE COUNTY RECORDER WITH A COPY OF THE LEGAL DESCRIPTION OF THE HOMESTEAD YOU HAVE DESIGNATED BY TEN BUSINESS DAYS BEFORE THE DATE THE PROPERTY IS TO BE SOLD.

Help For Homeowners in Foreclosure

The attorney preparing this foreclosure is: Trott Law, P.C., 25 Dale Street North, St. Paul, MN 55102; Phone: (651) 209-9760; Fax: (651) 292-9482; File No. 19-1310-FC01

It is being prepared for:

LoanCare - 800-274-6600

(Lender name, loss mitigation phone number)

AS OF February 26, 2020, this lender says that you owe \$10,827.04 to bring your mortgage up to date (or "reinstate" your mortgage). You must pay this amount plus interest and other costs, to keep your house from going through a sheriff's sale. BEFORE SENDING ANY PAYMENT, please call LoanCare at 800-274-6600 to obtain the most current reinstatement amount. The sheriff's sale is scheduled for April 28, 2020 at 10:00 AM at the Ramsey County Sheriff's office, Lowry Building/City Hall Annex, 25 West 4th Street, Suite 150, St. Paul, MN 55101.

Mortgage foreclosure is a complex process. People may contact you with advice and offers to help "save" your home.

Remember: It is important that you learn as much as you can about foreclosure and your situation. Find out about all your options before you make any agreements with anyone about the foreclosure of your home.

Getting Help

As soon as possible, you should contact your lender at the above number to talk about things you might be able to do to prevent foreclosure. You should also consider contacting the foreclosure prevention counselor in your area. A foreclosure prevention counselor can answer your questions, offer free advice, and help you create a plan which makes sense for your situation.

Contact the Minnesota Home Ownership Center at 651-659-9336 or 866-462-6466 or www.hocmn.org or contact the United States Department of Housing and Urban Development at 1-800-569-4287 or www.hud.gov to get the phone number and location of the nearest certified counseling organization. Call today. The longer you wait, the fewer options you may have for a desirable result.

NOTICE OF REDEMPTION RIGHTS

What Happens After the Foreclosure Sale

After the Sheriff's sale, you have the right to "redeem." Redeem means that you pay the amount bid for your house at the sheriff's sale, plus interest and costs, to keep your house. You can keep living in your home for a period of time after the foreclosure sale. This is called a "redemption period." The redemption period is six (6) months after the sheriff's sale.

At the end of the redemption period, if you do not redeem or sell, you will have to leave your home. If you do not leave, the person or company that bid on your home at the sheriff's sale has the right to file an eviction against you in court.

Be Careful of Foreclosure Scams

Be Careful! After the foreclosure sale, people may approach you to buy your house or ask you to transfer your house to them for little or no money.

Before you give up the rights to your house or sign any documents (including a deed), be sure you know how much the house sold for at the sheriff's sale and decide if you can save the house by paying the amount of the bid, plus interest and costs.

How to Find Out How Much Your House Sold for at the Foreclosure Sale

The amount you need to pay to redeem your house may be less than the amount you owed on the mortgage before the sale. You can learn what this amount is (and who the winning bidder at the sale was) by attending the sheriff's sale or by contacting the sheriff's office after the sale.

You Can Also Sell Your House

During the redemption period, if you sell your home, you must sell it for enough to pay off the winning bidder from the sheriff's sale and pay interest, fees and other claims against the property. If there is any money left from the sale of the house after all these debts are paid, you can keep the money. You can also enter into a "short sale." A short sale is an agreement in which the lender agrees to accept less than the full amount you owe on the mortgage.

Get More Information and Advice

For more information and advice, contact an attorney or a mortgage foreclosure prevention counselor. You can find a mortgage foreclosure prevention counselor by contacting the Minnesota Home Ownership Center at 651-659-9336 or 866-462-6466 or www.hocmn.org or contact the United States Department of Housing and Urban Development at 1-800-569-4287 or www.hud.gov to get the phone number and location of the nearest certified counseling organization.

Foreclosure: Advice to Tenants

If you are a tenant, you are renting in a property that is in foreclosure. Minnesota law requires that we send you this notice about the foreclosure process. Please read it carefully.

The mortgage foreclosure does not change the terms of your lease. You and your landlord must continue to follow the terms of your lease, including the rights and responsibilities of you and your landlord. You must keep paying rent unless you have a legal reason to withhold it. Your landlord must keep the property repaired. Utilities must be paid under the terms of your lease or under state law.

Moving out of the property early might be a violation of your lease. The date of the sheriff's foreclosure sale is in the attached foreclosure notice. In most cases you do not need to move from the property before the sheriff's foreclosure sale. Read your lease to see if it says anything about foreclosure and about the rights you may have if the property is in foreclosure. If you have a month-to-month lease, the foreclosure notice does not change the rules for ending your lease. You and your landlord must still give legal notice to end your lease.

In most cases, your landlord has six months after the date of the sheriff's foreclosure sale to pay off the mortgage. This is called the "redemption period." Read the attached foreclosure notice to determine the length of the redemption period. You cannot be asked to move during the redemption period except for lease violations or if your lease expires during the redemption period. If your landlord stops the foreclosure, you may not have to move from the property. If your landlord does not stop the foreclosure, there will be a new owner of the property at the end of the redemption period. The new owner may have the legal right to ask you to move even if your lease is not over. But, the new owner must still give you a written notice stating that the new owner wants you to move.

Do not wait to get information about foreclosure. Mortgage foreclosure is a complicated process. It is important you learn about your rights as a renter when there is a mortgage foreclosure. You may have fewer options if you wait too long. There are government agencies and nonprofit organizations that you may contact for helpful information about the foreclosure process. For the name and telephone number of an organization near you, please call the legal aid office or bar association office in your county. You also can find information on tenant rights at HOME Line at (866) 866-3546 and Law Help Minnesota at <http://www.LawHelpMN.org>. The state of Minnesota does not guarantee the advice of these agencies and organizations.