

RLH VBR 12-50



APPLICATION FOR APPEAL

RECEIVED

JUL 27 2012

CITY CLERK

Saint Paul City Clerk

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8560

The City Clerk needs the following to process your appeal:

- \$25 filing fee payable to the City of Saint Paul (if cash: receipt number _____)
- Copy of the City-issued orders or letter which are being appealed
- Attachments you may wish to include
- This appeal form completed
- Walk-In OR Mail-In

YOUR HEARING Date and Time:

Tuesday, Aug 14

Time 2:30pm.

Location of Hearing:
Room 330 City Hall/Courthouse

*Emailed NOTICE 7-27-12
moved to 2:30. Spoke to
Koller who is fine with
time. - rsn 7-27-12*

Address Being Appealed:

Number & Street: 293 BANF. ST. City: St. Paul State: MN Zip: 55102

Appellant/Applicant: CENTRAL BANK Email: kkoller@centralbank.com
% Kerry Koller

Phone Numbers: Business _____ Residence _____ Cell 715-222-6517

Signature: [Signature] Date: _____

Name of Owner (if other than Appellant): _____

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
- Fire C of O: Only Egress Windows
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

Just got tenant out on June 5th. Started doing property evaluation w/ field staff and listing agent to prepare property for sale in June/July. Inspection done July 13th. We need 30-60 more days to do repairs & cure deficiencies.
* Excess Flow Valve Requirement Notice *KTK*

Kerry Koller

From: Kerry Koller
Sent: Thursday, July 26, 2012 12:17 PM
To: 'william.beumer@ci.stpaul.mn.us'
Cc: 'rob@bluedotmn.com'; Zach McBroom; Maria Rodlund (mrodlund@centralbnk.com); Jenny Hundley
Subject: Property at 293 Banfil Ref#102771
Attachments: 293 banfil #102771.pdf

Hello William.....the notice of condemnation for this property was received in our office on July 16th. It landed on my desk on July 18th. I am writing to you today to request additional time to get this property cleaned up and on the market for sale.

Here is the time line of events:

Redemption period expires on Jan. 3, 2012 and bank takes possession.
Notice to vacate is sent to tenant on March 7th, 2012. (document attached)
90 day written notice to vacate expires June 5th, 2012.....tenant out.
An order to clean up the property and change the locks was given to our hired management company on June 6th, 2012. (document attached)
Our field maintenance staff mowed the property on 5-29, 6-12, 6-26,7-10. (document attached)
New locks and lock box put on, trash picked up left on the lot by non-identified parties on June 21st, 2012.
Listing agent sent to evaluate property and make recommendations to clean and prepare for sale June 22nd, 2012.
Inspection completed July 13th, 2012.
Notice of Condemnation received at bank on July 16th, 2012.

We are looking for an appeal form on the city web site to submit.....so far unsuccessful. We will make some phone calls and see if we can get one faxed over.

We are a small community bank and are more than willing to work with the city and local authorities to clean up these properties, make them safe and get them back on the market. The legal system and rules and regulations in regards to evictions puts us on a tight schedule when working with contractors to clean up properties and fix code deficiencies.

We will do our best to get an appeal in today to for more time. We can have this place fixed up, listed and back on the market in 30-60 days. Any help from your end would be greatly appreciated....thanks William.

Kerry T. Koller
Property Manager



304 Cascade Street
Osceola, WI 54020
Office: 715.294.2183
Direct: 715.294.5918

DEPARTMENT OF SAFETY AND INSPECTIONS

Steve Wagner, Manager of Code Enforcement



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Nuisance Building Code Enforcement

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

651-266-8989

651-266-1919

www.stpaul.gov/dsi

July 17, 2012

Central Bank
8425 Seasons Pky Ste 105
Woodbury MN 55125-4393

VACANT BUILDING REGISTRATION NOTICE

The premises at **293 BANFIL ST**

has been inspected and found to meet the legal definition of a Vacant Building as described in Saint Paul Legislative Code, Chapter 43. You are required to register this building with the Department of Safety and Inspections, Vacant Buildings Division, by filling out and returning the registration form provided with this letter. You are also required to pay the annual Vacant Building Registration Fee of **\$1,100.00**. The fee is due upon receipt of this letter and must be paid no later than thirty (30) days from the date of this letter, as required in Saint Paul Legislative Code Chapter 43. If this building is vacant due to a fire, complete the enclosed registration form and return it to this office within 30 days.

Please return the enclosed registration form along with your payment by August 17, 2012.

Do not mail cash.

If you wish to pay in person, you may do so from 8:00 a.m. to 4:00 p.m. Monday through Friday at:

DEPARTMENT OF SAFETY AND INSPECTIONS
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806

You may file an appeal to this fee or registration requirements by contacting the Office of the City Clerk at (651) 266-8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

If the registration fee is not received in this office within 45 days of the date of this letter the full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.

The Code Enforcement Officer has notified the Building Inspection And Design Section that this property meets the legal definition of a registered vacant building and in accordance with Legislative Code Chapter 33, no permits (except demolition, wrecking and removal permits) will be issued until the requirements of all applicable ordinances are fulfilled.

All category 2 and category 3 vacant buildings must be winterized with gas and water services shut off or, alternately, an excess flow gas valve must be installed in the dwelling, within sixty (60) days of the date of this Notice.

**WRITTEN PERMISSION FROM THE CITY OF SAINT PAUL IS REQUIRED BEFORE A
CATEGORY 2 OR CATEGORY 3 VACANT BUILDING CAN BE OCCUPIED OR SOLD.**

Category 2: Requirements include: 1. register/re-register the building, 2. pay outstanding fee(s), 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use.

Category 3: All requirements listed for Category 2 vacant buildings, AND obtain a **Certificate of Occupancy OR Certificate of Code Compliance** prior to the sale of the building.

If the use of this building meets the definition of a nonconforming use by the Zoning Code then the use will lose its nonconforming status 365 days from the date the building was declared vacant.

**You must contact the Enforcement officer, Matt Dornfeld,
at 651-266-1902 to find out what must be done before this
building can be legally reoccupied.**

The Enforcement Officer may declare this building(s) to constitute a Nuisance Building subject to demolition and issue an Order to Abate under authority of Legislative Code Chapter 45. In the event this building is declared a Nuisance Building subject to demolition, the Enforcement Officer will notify all owners and interested parties of the Order to Abate, as provided in the Legislative Code Chapter 45.

If you have questions about this annual registration fee or other vacant building requirements, please contact the Enforcement Officer, Matt Dornfeld, at 651-266-1902.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

Thank You,

Steve Magner
Vacant Buildings Program Manager
Department of Safety and Inspections

Enclosures: Regulations Requirements Information
Vacant Building Registration Form

SM: md
vb_registration_notice 06/10

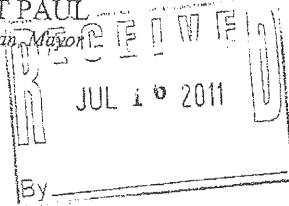


CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-8951
Web: www.stpaul.gov/dsi

July 13, 2012



6-21 4 boxes in mailbox
Picked up trash in yard

Central Bank
8425 Seasons Pky Ste 105
Woodbury MN 55125-4393

NOTICE OF CONDEMNATION UNFIT FOR HUMAN HABITATION ORDER TO VACATE

RE: 293 BANFIL ST
Ref. # 102771

Dear Property Representative:

Your building was inspected on June 28, 2012.

The building was found to be unsafe, unfit for human habitation, a public nuisance, and a hazard to the public welfare or otherwise dangerous to human life. A Condemnation Placard has been posted on the building.

The following deficiency list must be completed or the building vacated by the re-inspection date.

CONDEMNATION OF THE BUILDING REVOKES THE CERTIFICATE OF OCCUPANCY.

Failure to complete the corrections may result in a criminal citation. The Saint Paul Legislative Code requires that no building be occupied without a Fire Certificate of Occupancy.

DEFICIENCY LIST

1. Interior - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unfit for human habitation. This occupancy must not be used until re-inspected and approved by this office.-The building cannot be occupied without water service.
2. Exterior - West - SPLC 34.09 (1) b,c, 34.32 (1) b,c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint.-Repair the damaged fascia.

An Equal Opportunity Employer

3. Exterior - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects. This work will require a permit. Contact DSI at 651-266-8989.
4. Exterior - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.
5. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the windows in good condition.-Repair damaged windows in an approved manner.
6. Exterior - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.
7. Exterior - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Repair the damaged gutters.
8. SPLC 34.11 (6), 34.34 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit a completed copy of the Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report to this office.
9. SPLC 34.11(4), 34.34(1) SPC 4715.0200A - Provide an adequate water supply to all water closets, sinks, showers and tubs.-Per SPRWS, the water service has been shut off. Contact SPRWS to restore the water service.
10. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

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: (651-266-8688) and must be filed within 10 days of the date of the original orders.

If you have any questions, email me at: william.beumer@ci.stpaul.mn.us or call me at 651-266-8991 between 7:30 - 9:00 a.m. Please help make Saint Paul a safer place in which to live and work.

Sincerely,

William Beumer
Fire Inspector
Ref. # 102771



CITY OF SAINT PAUL
 DEPARTMENT OF SAFETY AND INSPECTIONS
 DIVISION OF CODE ENFORCEMENT
 375 Jackson Street, Suite 220
 Saint Paul, MN 55101-1806

July 16, 2012

EXCESS FLOW VALVE REQUIREMENT NOTICE

Yog hais tias koj hais lus Hmoob thiab koj tsis to taub tsab ntawv no, hu rau tus txhais lus ntawm (651) 266-8989. Nws yog pab dawb zwb. Si necessita un traductor, por favor llamanos al (651)266-8989. No costo.

CENTRAL BANK
 8425 SEASONS PKY STE 105
 WOODBURY MN 55125-4393

Location Closed

RE: 293 BANFIL ST
 File #: 12 - 081918

Dear Sir or Madam:

The above referenced address has been designated as a Category 2 Vacant Building per Section 43.02 of the Saint Paul Legislative Code.

Section 43.03 of the Legislative Code requires that Category II and Category III vacant buildings be winterized with gas and water services shutoff, or alternatively, that an excess flow gas valve (EFV) be installed after each gas meter servicing the building(s) prior to August 15, 2012.

Please note that the installation of an excess flow gas valve must be performed by a licensed contractor with an approved permit. Further information regarding permits is available at 651-266-8989. Additionally, failure to satisfy this requirement may result in the enforcement officer, under the authority of Chapter 45 of the Legislative Code, to enter the building and to install the excess flow valve(s). The installation cost is estimated to be about \$500 per unit, plus administrative fees. The total cost will be charged against the property as a special assessment and will be collected in the same manner as property taxes.

Issued By: Matt Dornfeld Badge: 361 Phone: 651-266-1902

If you have any questions about this order, the requirements or the deadline, you should contact the Inspector listed above, Monday through Friday.

Appeals: You may appeal this order and obtain a hearing before the City Council by completing an appeal application with the City Clerk before the appeal deadline noted above or seven (7) days after the date mailed, whichever comes first. No appeals may be filed after that date. You may obtain an appeal application from the City Clerk's Office, Room 310, City Hall, St. Paul, MN 55102. The telephone number is (651) 266-8688. You must submit a copy of this Correction Order with your appeal application.

Recipients:

Central Bank
 8425 Seasons Pky Ste 105
 Woodbury MN 55125-4393

Central Bank
 8425 Seasons Pky Ste 105
 Woodbury MN 55125-4393

Location Closed
Closed



March 7, 2012

Reply to St. Paul

Augustine Togba
293 Banfil Street
St. Paul, MN 55102-3015

Re: Central Bank/Rosebear, Inc.
293 Banfil Street, St. Paul, Minnesota
Our File No. 64395

Dear Mr. Togba:

Our firm represents Central Bank (the "Bank") in regard to the mortgage foreclosure sale which occurred on the above property on January 3, 2011. The redemption period following the foreclosure sale expired on January 3, 2012, and the Bank is now the owner of the property.

Minnesota law requires the Bank to provide 90 days' written notice to vacate to tenants occupying foreclosed property. That 90-day period will expire on June 5, 2012, and you are required to vacate the property by that date. If you do not vacate by that date, it will become necessary for us to commence an unlawful detainer proceeding to evict you from the premises. At the time you vacate the property, the property must be completely vacant and free of personal property or an unlawful detainer proceeding may still be necessary.

Please note that the law requires that you continue to make your monthly rental payments to the Bank's management company, Kaehler Management. If you fail to pay the rent during the 90-day period, the Bank is entitled to immediately commence an unlawful detainer proceeding to evict you from the premises for the failure to pay rent.

Sincerely,

Peter B. Tiede,
Attorney at Law
ptiede@murnane.com

PBT/raa/1400300
cc: Kerry T. Kohler
Kaehler Management

Minnesota Office 30 East 7th Street, Suite 3200 Saint Paul, MN 55101 4919 P 651 227 9411 F 651 223 5199
Wisconsin Office 1810 Crest View Drive, Suite 2B Hudson, WI 54016 P 715 246 3910 F 651 223 5199

Kerry Koller

From: Kerry Koller
Sent: Wednesday, June 06, 2012 2:19 PM
To: 'Maryann@kaehlermanagement.com'
Subject: RE: 293 Banfil service

Ok will have listing agent contact you of keys....thanks!

Kerry T. Koller
Property Manager



From: Maryann@kaehlermanagement.com [<mailto:maryann@kaehlermanagement.com>]
Sent: Wednesday, June 06, 2012 2:06 PM
To: Kerry Koller
Subject: Re: 293 Banfil service

I spoke with the realtor he is picking up keys tomorrow for them all

Sent from my iPhone

On Jun 6, 2012, at 1:51 PM, Kerry Koller <KKoller@centralbnk.com> wrote:

Hi Maryann.....please go ahead and clean up the property, kill the cockroaches, re-key and put on a lock box code 6890.....how soon can you have the lock box on?....we are ready to list ASAP....thanks!

Kerry T. Koller
Property Manager

<image001.gif>

304 Cascade Street
Osceola, WI 54020
Office: 715.294.2183
Direct: 715.294.5918
Mobile: 715.222.6517
Facsimile: 715.294.2199
www.centralbank.com/the-riverbank

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COMMERCIAL & RESIDENTIAL
CONSTRUCTION SERVICES, LLC

1333 Larc Industrial Blvd.
Burnsville, MN 55337

Invoice

DATE	INVOICE #
7/20/2012	2012-386

Central Bank 2401 Hastings Ave, Ste 100 Newport, MN 55055

Due on receipt		293 Banfill St. St. Paul, MN #10666		
QTY	DATE	DESCRIPTION	PRICE	AMOUNT
1.00	5/29/2012	Bi-Weekly Mow	75.00	75.00
1.00	6/12/2012	Bi-Weekly Mow	75.00	75.00
1.00	6/26/2012	Bi-Weekly Mow	75.00	75.00
1.00	7/10/2012	Bi-Weekly Mow	75.00	75.00
Approved by: <u>KTK</u> Loan #: <u>10666</u> Credit Name: <u>Rosebean</u>				
			Total	\$300.00
			Payments/Credits	\$0.00
			Balance Due	\$300.00

Phone # 612-366-6847

Fax #

952-895-9124

www.bluedotmn.com

joe@bluedotmn.com

City of Saint Paul
Department of Safety and Inspections
Vacant Buildings Program
Requirements, Regulations and Information

The Council of the City of Saint Paul has adopted ordinances regulating vacant and unoccupied structures.

You must register this building with St. Paul Department of Safety and Inspections, Vacant/Nuisance Buildings Code Enforcement Unit if the building is unoccupied and:

1. Unsecured, or
2. Secured by other than normal means (boarded), or
3. A dangerous structure, or
4. Condemned as uninhabitable, or
5. Condemned or Vacated by Fire Marshal Certificate of Occupancy Program, or
6. Has multiple housing or Building Code violations, or
7. Is condemned and illegally occupied, or
8. Has been unoccupied for a period of time longer than one year during which time the Enforcement Officer has issued an order to correct nuisance conditions.

Registration Requirements

1. Submit the enclosed Vacant Building Registration Form within 30 days, describing plans for rehabilitating and reoccupying or demolishing the building.
2. Disclose all pertinent ownership information.
3. Disclose all pertinent lien-holders.
4. Disclose any current Truth-in-Sale of Housing Disclosure Reports.
5. Pay the \$1,100.00 annual Vacant Building Registration fee within 30 days of receiving this letter. **If the registration fee is not received within 45 days of the due date the full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.**

NOTE: If the building is vacant due to a fire, you may have a 90 day exemption from the registration fee. You must still submit the enclosed Vacant Building Registration Form within 30 days informing us of your plans for the building to qualify for this exemption. At the end of 90 days your rehabilitation must be complete OR you must pay the \$1,100.00 registration fee.

6. Provide unencumbered access to all portions of the premises of the buildings to permit the Enforcement Officer to make a complete inspection.

Owners, agents, assignees and all responsible parties are required to comply with the following requirements of the Saint Paul Legislative Code:

1. Keep all buildings secure.
2. Keep all porches, stairs, and exterior premises free of refuse, junk and debris.
3. Cut grass and weeds.
4. Remove snow and ice from sidewalks.

Sale Requirements – Contact the Vacant Buildings section, 651-266-1900, for full details. There is a fee of \$275.00 for the Sale Review Process.

VB1 – Current registration and fees; notify the City; restore utilities.

VB2 – No sale without City approval. Requirements include: current registration and fee payments, code compliance report, cost estimate for all repairs, a schedule for completion of the repairs, and proof of financial capability to complete all repairs.

VB3 – No sale without a Certificate of Code Compliance or Certificate of Occupancy.