



City of Saint Paul

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

Staff Report

File Number: ALH 10-379

Introduced: 11/9/2010

Version: 1

Current Status: Filed

Matter Type: Appeal-Legislative
Hearing

Appeal of Special Tax Assessment for 1045 Bush Ave for Project #:J1104A, Assessment #:
118995 in Ward 6

..Property Address 1045 Bush Ave

Ms. Moermond recommended approving the assessment.

Cost: \$ 160.00

Service Charge: \$ 140.00

Total Assessment: \$ 300.00

Gold Card Returned by: Jonathan A Aldana

Type of Order/Fee: tgw order

Nuisance: failure to cut tall grass or weeds

Date of Orders: August 31, 2010

Compliance Date: September 2, 2010

Re-Check Date: September 7, 2010

Date Work Done: September 7, 2010

Work Order #: 10-801220

Returned Mail?: No

Comments:

History of Orders on Property: Prior assessment \$300.00. time period 7-30-10 through
8-12-10

Ms. Moermond recommended approving the assessment.

STAFF PRESENT: Inspectors Paula Seeley, Joel Essling and Joe Yannarely, Department of
Safety and Inspections (DSI)

Jonathan Aldana appeared.

Inspector Essling reported that a letter for tall grass and weeds was mailed August 31, 2010 with a compliance date of September 2, 2010. It was re-checked on September 7 and found to be in non-compliance. A Work Order was sent to Parks and the work was done on September 7, 2010 at a cost of \$160 plus \$140 fee for a total of \$300.

Mr. Aldana stated that he is letting the property go because he can't afford it. He got a letter from the lien holder on September 1, saying that they were going to winterize the house, protect their investment and change locks. He told the lien holder that he was going to leave the property on August 28. When he came back from being out of town, the locks had been changed, so he couldn't get into the house or garage to access his lawn mower. Mr. Aldana called the City; the person he spoke with told him not to worry - that it would go toward the taxes, then he got this notice for \$300. He is appealing because he has the letter from the lien holder stating that they would take care of the property. If he must pay it, he would like an extension. He is working with a collection agency and they have approved a "short sale." Last week, he had to hire an inspector to do the inspection requirement before the house can be sold. There has been no sheriff's sale.

Ms. Moermond responded that the person from the City who told him this assessment would go on the property taxes is correct. If the property would be going directly back to the bank, Mr. Aldana would not be involved; however, since he's doing a short sale, this issue is between the appellant and the lien holder. Ms. Moermond finds that the City gave proper notice and the work wasn't done. This assessment of \$300 attaches to the property taxes, so, whoever is responsibly for paying the property taxes will end up paying this assessment. If the appellant walks away, it would be the lien holder's responsibility; if there is a short sale, the appellant and the lien holder will need to decide who's responsible. Ms. Moermond stated that it will not benefit Mr. Aldana to split the assessment over time, in this case. If he would be holding the property into the future, he would have the option to pay it over time. She added that this assessment would not attach to his 2011 taxes, but to the 2012 taxes; and he does not intend to be there, then. The appellant will be getting a bill within a couple of weeks of the January 2011 City Council Public Hearing. He could pay it at that time; he could pay it month to month. Interest would accrue at 5 percent. Anything that's not paid at that time will be attached to the property taxes. She suggested that he present the bill to the lien holder because he was prevented from entering the garage to access his lawn mower.

Ms. Moermond will recommend approving the assessment.