



City of Saint Paul

City Hall and Court House
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Master

File Number: RLH RR 12-21

File ID: RLH RR 12-21

Type: Resolution LH Substantial
Abatement Order

Status: Passed

Version: 3

Contact Number: 266-1941

In Control: City Council

File Created: 05/01/2012

File Name: 777 Lawson Avenue E Remove/Repair

Final Action: 07/18/2012

Title: Ordering the rehabilitation or razing and removal of the structures at 777
LAWSON AVENUE EAST within fifteen (15) days after the June 20, 2012 City
Council Public Hearing.

Notes:

Agenda Date: 07/18/2012

Indexes: Substantial Abatement Orders; Ward - 6

Agenda Number: 93

Sponsors: Bostrom

Enactment Date:

Attachments: 777 Lawson Ave E.OTA.pdf, 777 Lawson Ave
E.Public Hearing Notice.pdf, 777 Lawson Ave
E.Photos.pdf, 777 Lawson Ave E.R-R FTA-LO Ltr
5-25-12.doc, 777 Lawson Ave E.Five Brothers
Letter.6-11-12.pdf, 777 Lawson Ave E.Five Brothers
Ltr 6-15-12.doc, 777 Lawson Ave
E.Affidavit.6-19-12.pdf, 777 Lawson Ave E.Bid and
Contact Info.6-12-12.pdf

Financials Included?:

Contact Name: Vicki

Hearing Date:

Entered by: vicki.sheffer@ci.stpaul.mn.us

Ord Effective Date:

Approval History

Version	Date	Approver	Action
1	05/11/2012	Magner, Steve	Approve
1	05/11/2012	Cervantes, Ricardo	Approve
1	05/14/2012	Kisch, Meghan	Approve
1	05/14/2012	Dady, Erin	Approve
1	05/16/2012	Moermond, Marcia	Approve
2	06/13/2012	Moermond, Marcia	Approve
2	06/13/2012	Dan Bostrom	Approve
3	07/11/2012	Moermond, Marcia	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	05/22/2012	Laid Over	Legislative Hearings	06/12/2012		
<p>Action Text: Laid Over to the Legislative Hearings due back on 6/12/2012</p> <p>Notes: <i>No one appeared. Laid over to June 12, 2012 to see if any interested parties will come forward.</i></p> <p><i>RE: 777 Lawson Ave E (single family)</i></p> <p><i>Steve Magner, Vacant Buildings:</i></p> <ul style="list-style-type: none"> - 2-story wood frame single-family dwelling with detached 3-stall garage on a lot of 4,792 sq. ft. - vacant since Apr 21, 2010 - current property owner: Aaron Pantogja and Maria L. Paras per Ramsey County records - Jan 18, 2012 inspection conducted; list of deficiencies which constitute a nuisance condition developed; photos taken - Order to Abate Nuisance Building posted Feb 14, 2012; compliance date Mar 15, 2012 - as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code - estimated market value: \$10,000 on land; \$40,000 on building - real estate taxes are current - Vacant Building Registration fees were paid by check Apr 6, 2012 - as of May 21, 2012, a Code Compliance Inspection has not been done - as of May 21, 2012, \$5,000 Performance Deposit has not been posted - 11 Summary Abatement Notices since 2010 - 11 Work Orders issued for: 1) garbage/rubbish; 2) boarding/securing; 3) grass/weeds; 4) snow/ice - estimated cost to repair exceeds \$50,000 - estimated cost to demolish between \$10,000-\$12,000 - the Department of Safety and Inspections (DSI) recommends removing the structure within 15 days - stated owner: Five Brothers Mortgage (servicing company) <p><i>Amy Spong, Heritage Preservation Commission (HPC):</i></p> <ul style="list-style-type: none"> - Amanda gives 1909 as construction date; the permit card lists 1920 - fairly substantial 2 1/2 story Queen Anne property with a 2-story bay on the side of the building that's visible 							

- front porch was enclosed early on
- 3 over 1 lid double-hung windows
- on corner lot
- across street is a ball field
- houses along block face appear quite intact and of similar sizes and era
- original siding is covered up
- in 2011 Legacy Survey work - not identified at that time as a potential historic resource and not part of a potential historic district
- recommends encouraging rehab; house has quite a presence
- lots of remaining interior trim
- Sanborn maps: was an overlay put on prior to 1925 but never turned into flats

Ms. Moermond:

- would be nice to have had the owner show up
- possible foreclosure given that Usset and Langard and U.S. Bank are listed
- let's send a letter to them to see if there is interest to rehab
- the VB registration fee is paid
- 2,000 sq. ft. of finished single family
- layover to Jun 12, 2012 LH to see if anyone will show up

1 Legislative Hearings 06/12/2012 Referred City Council 06/20/2012 06/20/2012

Action Text: Referred to the City Council due back on 6/20/2012

Notes: To be referred back to Legislative Hearing on July 10, 2012 and City Council Public Hearing on July 18, 2012.

RE: 777 Lawson Ave E (single family)

Scott Owens, vendor for Five Brothers, a management company, appeared; they work for US Bank in property preservation.

Aaron Pantoja and Maria Paras, former owners, also appeared.

Ms. Moermond:

- US Bank owns the building (redemption period is over)
- no one appeared to begin with

Inspector Joe Yannarely:

- has had conversations with US Bank
- 2-story wood frame single-family dwelling with detached 3-stall garage on a lot of 4,792 sq. ft.
- vacant since Apr 21, 2010
- current property owner: Aaron Pantoja and Maria L. Paras per Ramsey County records
- Jan 18, 2012 inspection conducted; list of deficiencies which constitute a nuisance condition developed; photos taken
- Order to Abate Nuisance Building posted Feb 14, 2012; compliance date Mar 15, 2012
- as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value: \$10,000 on land; \$40,000 on building
- real estate taxes are current
- Vacant Building Registration fees were paid by check Apr 6, 2012
- as of today, a Code Compliance Inspection application has been made (last week)
- as of today, \$5,000 Performance Deposit has been posted
- 11 Summary Abatement Notices since 2010
- 11 Work Orders issued for: 1) garbage/rubbish; 2) boarding/securing; 3) grass/weeds; 4) snow/ice
- estimated cost to repair exceeds \$50,000
- estimated cost to demolish between \$10,000-\$12,000
- the Department of Safety and Inspections (DSI) recommends repairing or removing the structure within 15 days

Amy Spong, Heritage Preservation Commission (HPC) restated her report from May 22, 2012:

- Amanda gives 1909 as construction date; the permit card lists 1920
- fairly substantial 2 1/2 story Queen Anne frame dwelling with a 2-story bay on the side of the building that's visible
- front porch was enclosed early on
- 3 over 1 lid double-hung windows
- on corner lot

- across street is a school and a large ball field
- houses along block face appear quite intact and of similar sizes and era
- original siding has been covered up
- part of the 1983 Survey
- in 2011 Legacy Payne-Phalen Survey work that was recently completed
- property was not identified as a potential historic resource or part of a potential historic district
- recommends encouraging rehab; house has quite a presence
- lots of remaining interior trim
- Sanborn maps: was an overlay put on prior to 1925 but never turned into flats

Mr. Owens:

- the bank's plan is to wait until the city does it's evaluation of deficiencies on the property and then begin work
- has multiple pages of bids for this property (contractors have walked through)

Ms. Moermond:

- if the Code Compliance Inspection has not yet happened, it needs to
- City Council Public Hearing takes place Jun 20, 2012
- her expectation is that the Code Compliance Inspection will have been applied for by Fri Jun 15, 2012 (\$447); it will take 2-3 weeks for the trades inspectors to complete their inspection (it is Mr. Owens' understanding that the application has been made)
- the Performance Deposit has been made
- some bids have been gathered
- draft a Work Plan with bids and timelines by the end of this week (a revised one will be developed after the Code Compliance Inspection has been completed)
- evidence of financial capacity to do the work will also be needed (proof that funds have been particularly set aside to complete the rehab; perhaps a letter from a bank official: affidavit, usually)

Aaron Pantoja and Maria Pares:

- expressed that they are here to help prevent the house from being torn down
- the inside of the house is very nice; only the exterior has been complained about because the painting hadn't been finished
- moved from the house Jan 2010

Ms. Moermond:

- Mai Vang will send a letter outlining today's conversation and the expectations
- if the Code Compliance Inspection has been applied for by Fri and a draft work plan with bids has been submitted, she will lay this over for one month at the City Council public hearing Jun 20, 2012 (Appellant submitted a copy of the bids at this time)
- during that month, Appellant will have time to get the Code Compliance Inspection done, to demonstrate that the money is available and to revise the Work Plan
- property needs to be maintained

2	City Council	06/20/2012	Referred	Legislative Hearings	07/10/2012	Pass
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Action Text: Referred to Legislative Hearing 7/10/12; City Council public hearing continued to 7/18/12

Notes: Moermond is asking for a layover until July 18.

Bostrom moved to continue the public hearing.

Yea: 5 Councilmember Bostrom, Councilmember Brendmoen, City Council President Lantry, Councilmember Stark, and Councilmember Thune

Nay: 0

Absent: 2 Councilmember Carter III, and Councilmember Tolbert

2	Legislative Hearings	07/10/2012	Referred	City Council	07/18/2012	
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Action Text: Referred to the City Council due back on 7/18/2012

Notes: Ms. Moermond will recommend continuing the City Council Public Hearing to August 1, 2012.

Owner will need to provide the following by the close of business on July 23:

- 1) a draft work plan which must be done in accordance with the code compliance inspection report;
- 2) contractor bids; and
- 3) the property must be maintained.

(Note: on July 11, 2012, the garage was found to be opened to entry -work order will be forthcoming).

RE: 777 Lawson Ave E (single family)

Steve Magner, Vacant Buildings:

- this is a legislative layover
- read a FAX from Five Brothers dated June 15, 2012 with attached Affidavit from U.S. Bank regarding title of property and dedication of funds (Jessica Roberts, Officer of U.S. Bank, State of Kentucky) - Attached: he assumes they understand what's going on and are willing to spend the money to fix the property but they need to make that determination based on the Code Compliance Inspection Report

Ms. Moermond:

- looks as though the Code Compliance Inspection was completed on Jun 20 but then it says, "It's completed Jul 9, 2012"; either way, there is nothing in writing confirming that and she's not sure why there is a double notation (Mr. Magner will verify)

Mr. Magner:

- all trades seem to have Correction letters in the system and all look to have been completed before that Jul 9, 2012 date except the plumbing, which was completed on Jul 9, 2012
- letter should be ready to go out today (can be Faxed to Jessica and Grace, U. S. Bank)
- City Council Public Hearing Jul 18, 2012

3	City Council	07/18/2012	Adopted	Pass
	Action Text:	Adopted		
		Yea: 7	Councilmember Bostrom, Councilmember Brendmoen, Councilmember Carter III, City Council President Lantry, Councilmember Stark, Councilmember Thune, and Councilmember Tolbert	
		Nay: 0		
3	Mayor's Office	07/24/2012	Signed	
	Action Text:	Signed		

Text of Legislative File RLH RR 12-21

Ordering the rehabilitation or razing and removal of the structures at 777 LAWSON AVENUE EAST within fifteen (15) days after the June 20, 2012 City Council Public Hearing.

WHEREAS, the Department of Safety and Inspections has determined that 777 LAWSON AVENUE EAST is a nuisance building pursuant to Saint Paul Legislative Code §45.02 as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and

WHEREAS, this property is legally described as follows, to wit: Arlington Hills Add B4045 49 Lot 20 Blk 9; and

WHEREAS, based upon the records in the Ramsey County Recorder's Office and information on file or obtained by the Department of Safety and Inspections, the following are the owners, interested or responsible parties for the subject property as of April 27, 2012: Aaron Pantoja/Maria L Paras, 1026 Maryland Ave E, Saint Paul MN 55106-2724; US Bank, 4801 Frederica Street, Owensboro KY 42301; Usset, Weingarden & Liebo 4500 Park Glen Road #300, Minneapolis, MN 55416; and Payne Phalen District 5 Planning Council;and

WHEREAS, each of these parties was served a written order dated February 14, 2012advising them of the basis for the determination that the subject property was a nuisance, and that the nuisance building was to be repaired or razed and removed by March 15, 2012; and

WHEREAS, this order informed the interested or responsible parties that they must repair or raze and remove the structure(s) located on the Subject Property by March 15, 2012; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on February 15, 2012 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by March 15, 2012 and, therefore, an abatement hearing was scheduled before the City Council on June 20, 2012 and the owner or his duly authorized representative and any interested parties or their duly authorized representatives were properly notified of the time, date and place of the hearing; and

WHEREAS, the legislative hearing officer provided the owner and other interested parties an opportunity to discuss the matter at a legislative hearing on May 22, 2012; and

WHEREAS, a public hearing was held on June 20, 2012, and the City Council reviewed the record, which included the exhibits from the Department of Safety and Inspections, the minutes and recommendation of the legislative hearing officer and any testimony at the hearing; Now, Therefore Be It

RESOLVED, that the Saint Paul City Council hereby finds:

1. That the structure(s) at 777 LAWSON AVENUE EAST is a nuisance building pursuant to Saint Paul Legislative Code §45.02, as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and 3) these nuisance conditions have not been corrected after notice of the same to the owner;
2. That the Department of Safety and Inspections has complied with all of the procedural requirements of the Saint Paul Legislative Code Chapter 45; and 3. That the owners, interested parties or responsible parties have not [have] presented a plan acceptable to the legislative hearing officer and Department of Safety and Inspections staff to repair the structure (s) and correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance report and to make the structure(s) safe and code compliant within 15 days; And, Be It

RESOLVED, that the City Council orders that the owners, interested parties or responsible parties shall repair the structure, correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance report and to make the structure(s) safe and code compliant, or shall raze and remove the structure(s) within fifteen (15) days; And, Be it

FURTHER RESOLVED, that if the necessary corrective action has not been taken within the time allotted, the Department of Safety and Inspections is authorized to take those steps necessary to raze and remove this structure and to charge the costs incurred in accordance with Saint Paul Legislative Code §45.12(4). Any personal property or fixtures of any kind shall be removed by the owners, interested parties or responsible parties prior to the demolition or it will be considered to be abandoned and the City of Saint Paul shall remove and dispose of such property as it deems appropriate; And, Be It

FINALLY RESOLVED, that this resolution shall be served on any of the parties required to be notified in Saint Paul Legislative Code §45.12(4).