



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Jean Birkholz, Hearing Secretary
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651-266-8585

Tuesday, March 8, 2016

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 15-44](#) Ordering the rehabilitation or razing and removal of the structures at 689 CONWAY STREET within fifteen (15) days after the December 16, 2015, City Council Public Hearing. (To refer back to Legislative Hearing on March 8, 2016)

Sponsors: Prince

Inspector Steve Magner, Vacant Buildings:

-read the last letter sent to Mr. John Dockry by Mai Vang:

This is to confirm that on January 12, 2016, Marcia Moermond, Legislative Hearing Officer recommended that the City Council refer the matter back to Legislative Hearing on Tuesday, March 8, 2016 at 9:00 a.m. in Room 330 City Hall/Courthouse. By that time, the house would have been in your clients possession and at which time the house needs to be cleaned out. You may want to contact the community organizations involved in the funding/rehabilitation of the building to be in attendance at the March 8th hearing as well.

The City Council Public Hearing is on Wednesday, January 20, 2016 at 5:30 p.m. in Room 300 Council Chambers.

-is surprised that Mr. Dockry is not in attendance

-was his understanding the last time at LH, that Mr. Dockry had been working with his client, the mortgage holder, had taken the property back by foreclosure and that they were going to see if someone else wanted to rehabilitate the property with the possibility of doing a donation or short term transfer to a partner of the HRA; we did not believe that the HRA would be interested in purchasing it but our expectation was that they would try to work with Dayton's Bluff Neighborhood Housing Services to transfer the title and then, we'd like to see Dayton's Bluff (Mr. Erchul) would put a Work Plan together; that's why we laid this matter over but we have no confirmation that those conversations took place

Amy Spong, Heritage Preservation Commission (HPC):

-we also suggested that he contact Historic Saint Paul; a couple of weeks ago, she mentioned this property to Carol Carey, Executive Director, Historic Saint Paul, and she hadn't yet gotten a call from him (another possible partner)

Mr. Magner:

-thinks that perhaps Mr. Dockry contacted Mai

Ms. Spong:

-Mai said in an email that this was going to be forwarded to the Mar 22 LH (she forgot to grab that email), which may be why they are not here today

Mr. Magner:

-thinks that was the intent

-suggested we Lay this matter over to Mar 22 LH

Ms. Vang:

-will Lay this over for 2 weeks to Mar 22, 2016 LH

Rescheduled per legislative hearing officer's request.

Laid Over to March 22 Legislative Hearings

2 [RLH RR 16-10](#)

Ordering the rehabilitation or razing and removal of the structures at 750 AURORA AVENUE within one-hundred eighty (180) days after the April 6, 2016, City Council Public Hearing.

Sponsors: Thao

Jerone Mitchell, Plaza I Inc, appeared.

Inspector Steve Magner, Vacant Buildings:

-The building is a 2-story wood frame single-family dwelling with a detached one-stall garage on a lot of 4,356 sq.ft. According to our files, it has been a vacant building since Aug 16, 2013.

-The current property owner is Plaza I Inc. per AMANDA and Ramsey County Property records.

-On Dec 16, 2015, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An Order to Abate a Nuisance Building was posted on Dec 22, 2015 with a compliance date of Jan 21, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has place an estimated market value of \$18,800 on the land and \$88,000 on the building.

-Real Estate taxes are current.

-The Vacant Building registration fees were paid by assessment on Sep 4, 2015.

-A Code Compliance Inspection was done on Nov 27, 2013 and has since expired. A new Code Compliance Inspection was done on Mar 2, 2016.

-The \$5,000 Performance Deposit was posted Feb 3, 2016.

-There have been 16 Summary Abatement Notices since 2013 and 9 Work Orders issued for: garbage/rubbish; boarding/securing; grass/weeds.

-Code Enforcement Officers estimate the cost to repair this structure to exceed \$75,000; estimated cost to demolish is \$15,000.

Amy Spong, Heritage Preservation Commission (HPC):

-this is a 2 1/2 story American 4-square style built in 1908

-it sits on a rock faced cement block foundation

-there are classical revival elements throughout, including the porch columns, corner board, gable returns are flared, a pieremetal roof with large gables on the north, east and west elevations

-appears to have been some original windows that have been replaced with vinyl

-the original living room picture window still remains

-the front and rear porch have been enclosed and a back deck has been added

-original owner was M. Lusdack; the builder was a J.R. Schmidt

-there are no vacant parcels on these 2 block faces; both sides appear to have good integrity; the houses are all of a similar period of architecture and style that are representative of the neighborhood
 -this property was located within our 2011 historic survey; it wasn't identified as being eligible for historic designation or for listing on the national register of historic places
 -she strongly encourages rehab because of the community character
 -siding has not been covered up; still has the original wood siding
 -some wood floors and wood trim are still present

Mr. Mitchell:

-he's with Plaza 1 and is now the general contractor for the company
 -they plan on rehabbing this property
 -the Perf Deposit has been posted; plumbing and building permits are pulled; there's been a new code compliance inspection report
 -he has worked extensively with Jim Seeger and the rest of the people at DSI; they are pretty familiar with his work; he has done plenty of Cat 2 and Cat 3 VB
 -he doesn't perceive any real problems with this property
 -it is a nice house and we'd like to return it to it's previous state
 -asking for 6 months time to rehab

Mr. Magner:

-normally, the hearing officer looks for a Work Plan with contractor bids and a timeline; a sworn contractor statements for plumbing, building, mechanical and electrical; estimated cost; a financial commitment of funds for the project; put those documents together and send them, email them or bring them in
 -could hear this again on Mar 22 LH to make sure we have all the necessary documents and then it can be put onto the Apr 6, 2016 City Council Agenda with a recommendation to grant 180 days
 -Mai follows up with a letter that contains conditions, etc.
 -the hearing officer will share the documents with him and she will communicate with you after the Mar 22 LH on her recommendation

Ms. Vang:

-documents will be due by the end of next week, Mar 15
 -will Lay this Over to the Mar 22 LH; Appellant need not come to the hearing if all documents are in place

By March 18, appellant to provide to the Legislative Hearing Officer the following:

- 1) a work plan with time lines to bring all the items into compliance, and
- 2) evidence of financial wherewithal to complete the repairs.

Laid over to March 22 Legislative Hearing

3 [RLH RR 16-11](#)

Ordering the rehabilitation or razing and removal of the structures at 1698 LAFOND AVENUE within fifteen (15) days after the April 6, 2016, City Council Public Hearing. (To be referred back to Legislative Hearing on April 12; Council public hearing to be continued to May 4)

Sponsors: Stark

No one appeared.

Inspector Steve Magner, Vacant Buildings:

-The building is a one-story wood frame single-family dwelling with a detached one-stall garage on a lot of 5,227 sq.ft. According to our files, it has been a vacant building since Feb 2, 2011.
 -The current property owner is Richard J. Ayd per AMANDA and Ramsey County

Property records.

-On Jan 20, 2016, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An Order to Abate a Nuisance Building was posted on Jan 22, 2016 with a compliance date of Feb 5, 2016. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$21,600 on the land and \$76,900 on the building.

-Real estate taxes for 2013 and 2014 are delinquent in the amount of \$12,354.40, which includes penalty and interest. Real estate taxes for 2015 have been paid. The property is scheduled for tax forfeiture July 31, 2017.

-The Vacant Building registration fees were paid by assessment on Mar 2, 2016.

-A Code Compliance Inspection was done on Dec 19, 2011 and has since expired. A new Code Compliance Inspection was applied for on Feb 1, 2016 but has not yet been done and cannot be done at this point.

-The \$5,000 Performance Deposit was posted on Feb 1, 2016.

-There have been 42 Summary Abatement Notices since 2011.

-There have been 36 Work Orders issued for: garbage/rubbish; boarding/securing; grass/weeds; snow/ice

-There have been 13 bills for Excessive Consumption of Inspection Services issued against this property for noncompliance of Orders.

-Code Enforcement Officers estimate the cost to repair this structure exceeding \$50,000; estimated cost to demolish: \$15,000

-DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within 15 days; if not, the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.

-further explanation about the code compliance: this property was Condemned a number of years ago by Code Enforcement staff and we tried to work with the home owner to Vacate; he refused to Vacate and we ended up going out there with SPPD and we Vacated the structure in 2011; we physically removed the owner; we brought Ramsey County House Calls with us and worked with them; at that time, Kay Witgenstein helped Mr. Ayd get a place at Mary Hall but their social worker and his family stepped in; they filmed this property and they hired a contractor to clean out the interior; he explained to them at the time, that we would not be lifting the Condemnation until the other issues with the property were resolved and that a code compliance inspection was needed; they applied for that code compliance inspection back in 2011 and they subsequently hired a contractor to do some repairs

-the story goes.... he doesn't have any detailed information about this but we were told that the contractor either failed to make the repairs or wasn't able to make the repairs; and the property never got rehabilitated

-sometime in 2012, the owner grew weary of being in Mary Hall and so, he decided to move back into 1698 Lafond, which then, we worked very diligently to try to Vacate him again; they had a number of phone conversations, email conversations, we worked with SPPD to no avail; finally, we reached out to our attorney and at the end of 2015, we obtained an Administrative Search Warrant; they went in with SPPD and Ramsey County Crisis Team and extracted the owner and his dog from the property; subsequently, we boarded up the whole house again and told him that he would not be allowed back into the property; since then, he has come into the DSI office on Feb 1, 2016 and applied for a code compliance inspection and posted a \$5000 Performance Deposit; we have tried to communicate with him that our staff will not be inspecting the property; it's evident if you look at the photos; we cannot have our staff inspect the property until the interior is completely cleared out; we said that we'd try to work with him to do those things but at this time, we have no on-going communication

-the sanitation issue is much more egregious this time; the clutter volume isn't the

level that it was before the 2012 clean out
 -they see that their only recourse at this time is to move forward with this action

Amy Spong, Heritage Preservation Commission (HPC):

-constructed in 1924; it's Arts & Crafts Craftsman Bungalow built by the Midway Corporation; the builder was C.F. Lewell Construction Company
 -1 1/2 story Craftsman Bungalow frame on a rock faced concrete block foundation
 -forward facing gable has a dormer
 -mostly double-hung windows
 -front porch has been enclosed early on
 -there are some vinyl replacement windows; exterior siding is not the original; wood clapboard is covered with aluminum
 -there still are some nice bungalow details present on the building - fascia, enclosed rafters, some tendons in the gables
 -it's a corner property; has an early garage
 -was last evaluated in 1983; it not within any of our boundaries for recent survey work
 -in the Hamline Midway Neighborhood; we are applying for grants now to do an updated historic survey for all of the Hamline Midway neighborhood; if funded, that work would probably not start until this summer
 -no one is able to assess the condition - you can't see anything and can't get inside yet to really assess what might be present, historically
 -no historic photographs; the bungalow is representative of this neighborhood
 -SHPPPO - determined that the property is not eligible on a national register level but we don't have updated information to know that; it might be identified in a potential local historic district; there's a good number of bungalows in this neighborhood that warrant preservation
 -she would encourage rehab without knowing what the interior condition is like

Ms. Vang:

-she needs to think about this
 -recommendation is forthcoming

Recommendation is forthcoming.

Referred to April 6 City Council

Staff Reports

- 4 [SR 15-113](#) Reviewing request for Council to reconsider its Order to Remove or Repair the Structures at 929 SEVENTH STREET WEST.

Sponsors: Thune

No one appeared.

Inspector Steve Magner, Vacant Buildings:

-read letter from Mai sent Feb 17, 2016 to Ryan & Tina North (attached)
 -we've received all the documents that the hearing officer requested; he has reviewed them and has had email conversations with Mai Vang regarding them; he said that he didn't think that the Norths needed to be present at today's hearing; we are OK with all the documentation
 -the Norths are moving forward to get their permits
 -thinks that we can move forward with a recommendation of 180 days for the rehabilitation
 -the original Order was for Removal, which is still out there; thinks that we need to do a Stay for 180 days to grant them time for the full rehab

-some discussion ensued regarding the clear wording of the TO BE RESOLVED...
-at the end of the Stay (180 days)... Chap 33 allows them another 180 days if they
are at 50% after the first 180 days

Ms. Vang:

Draft new resolution for grant of stay of enforcement for 180 days.

Received and Filed

11:00 a.m. Hearings

Summary Abatement Orders

- 5 [RLH SAO 16-8](#) Appeal of Aaron Hamann to a Vehicle Abatement Order at 148 FORBES AVENUE.

Sponsors: Noecker

Appellant removed the vehicle.

Ms. Vang:

-the Appeal of Aaron Hamann to a Vehicle Abatement Order at 148 Forbes Avenue
has been Withdrawn; the Appellant has met the deficiency.

Withdrawn

Correction Orders

- 6 [RLH CO 16-7](#) Appeal of Madonna Tiemann to a Correction Notice and Summary Abatement Order at 892 LAKEVIEW AVENUE.

Sponsors: Brendmoen

Madonna Tiemann and her daughter, Barbara Clark, appeared.

Inspector Lisa Martin:

-Correction Notice issued to: 1) discontinue directing storm water onto alley
right-of-way (Done)

-2) repair/replace/remove wood fence near alley by May 1, 2016

-3) install locking door to garage lean-to on alley side (Done)

-4) reduce number of accessory buildings to two by May 1, 2016

-Summary Abatement issued Feb 19, 2016 to remove items in yard (Done)

-believes that Appellant is asking for time beyond May 1, when someone will be
coming to help them

-Inspector Ross has verified items that have been taken care of

Ms. Clark:

-appealing #2 and #4 for more time

-her younger sister is getting married near the end of May, when her brother will be in
town to remove his items from some of the accessory buildings; then they will be able
to remove the accessory sheds; hoping to get until Aug 1, 2016 to get rid of those
sheds

-mom wants to keep the playhouse that her dad built

-some of those structures have been in the yard over 40 years

Ms. Martin:

-an extension until Aug 1, 2016 is too long
-will need a coordinated effort to accomplish this

Ms. Vang:

-agrees that Aug 1, 2016 is too long
-will recommend a Jul 15, 2016 extension on the condition that some headway is continually made before then

Ms. Clark:

-I can start to clean out some of the sheds

Ms. Vang:

Grant until Jul 15, 2016 to come into compliance.

Referred to April 6 City Council Public Hearing

Orders To Vacate, Condemnations and Revocations

- 7 [RLH VO 16-15](#) Appeal of Fannie Faye Neal to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate plus Summary Abatement Orders at 1016 AURORA AVENUE.

Sponsors: Thao

Fannie Faye Neal, owner and her son, Theartis Neal, appeared.

Ms. Vang:

-this was Withdrawn; you didn't need to show up; the water was turned back on

Mr. Neal:

-she wants to talk about the letter that she received
-she should never have received any letter indicating that her house was "unfit for human habitation"
-as you can imagine the stress that was caused her when she received that letter and then an abatement for \$260; they sent some men out to her property to remove things from the property; what they said was trash was the leaves that she had just gathered together, put in bags and stacked against the fence to be picked up; they also removed some decorative logs that she had around her flower bed; and the cabinet that they had taken out of the basement (they were fixing up the basement) and since it was too large to fit into the garage with the car, they put it on the back patio; they took that cabinet and we had tied it all up so that it wouldn't be bouncing around; you could see that it had been used and could be used again
-she indicated to the men not removed those items but he said that he was going to remove them any way; he was told to remove them so that's what he did
-here to appeal the cost of the removal of Ms. Neal's property; the \$25 she had to pay to file the appeal; and the \$260 abatement fee and any other additional fees associated with this

Inspector Lisa Martin:

-the application for the appeal that cost \$25 was related to the Water being shut off, which has been Withdrawn because the situation has been taken care of; that's today's issue
-if they want to appeal the Summary Abatement, they should have received a gold

card, which they can send back and appeal at that time but we're not here for that today

-the only thing they received was for the water shut off

Ms. Neal:

-I did appeal for both of them-- for the water and also for the leaves/cabinet

-she told them that she had not received a letter for the leaves at all

-I asked the men why there were there and they said that they were there to clean-up; I asked, "Clean up what?" and they said, "The trash;" I said, "That's not trash; my son had removed all the trash; those bags are full of leaves; someone was going to the leaves to the compost place but when he got there, the compost place was closed for the season, so he brought them back; then, she put them up against the fence

-she does a lot of canning; she had some canning jars on the patio; he reached out to get those; she told him that those were her canning jars; he said, "We were told to pick up everything;" she said, "No, you can't get my jars;" then, he took my barbecue grill, a round table; I said, "You can't do that;" he showed me the letter because I hadn't received it

-she came down to appeal but her water had never been cut off; last year they came - something was broken

-she just received the letter re Condemnation / Order to Vacate on Mar 1, 2016; that's when I called the City Council and she told me to come in and make application for appeal

Ms. Vang:

-today we're here for the water shut off, which has been addressed

Ms. Martin:

-regarding the Summary Abatement and the Parks Work Order that's been done - that we need to have a gold card sent in; we don't have the Video today; we weren't prepared for that

Ms. Vang:

-so let's Lay that matter Over to next week's LH, Mar 15, 2016 to see the Video
-re: the materials that were taken; you can file a claim; the forms are available in Room #310

Ms. Neal:

-what she's saying is that was not "trash;" it was "leaves"

-she told him not to move the cabinet; it's going back into my basement after the basement is fixed up but he took it anyway

Ms. Martin:

-improper storage: usually in the letter it says that there's no storing of household goods outside, etc.

-the Parks crew goes by what was in the Order

-if a service, like water, is shut off; we vacate the building after 24 hours

Ms. Vang:

(Condemnation and Order to Vacate has been Withdrawn as the water has been restored); for the February 19 Summary Abatement Order...City has gone and cleaned up the garbage. This will go through the assessment process and appellant may appeal it at that time. The February 25 Summary Abatement Order has been laid over to March 15.

Laid over to March 15 Legislative Hearing (Order to Vacate has been

withdrawn)

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 8 [RLH FCO 16-41](#) Appeal of Kristin Upton, Main Street Renewal, to a Fire Inspection Correction Notice at 1020 WILSON AVENUE.

Sponsors: Prince

Kristin Upton, Property Manager, Main Street Renewal, appeared.

Fire Inspector Leanna Shaff:

-Fire Certificate of Occupancy Inspection conducted on Feb 23, 2016 by Inspector Daniel Klein

-10 deficiencies in the Orders

-the maximum ceiling height of 6'8" in the upper level bedrooms is being appealed (attic conversion)

-7 feet height over half the floor area is the minimum code requirement

-photos show a peak ceiling with some flat areas

-she also questions the size of the rooms up there

-there are no records as to when the attic space was converted to bedrooms

-TISH from 2002

-this is it's first Fire C of O inspection

Ms. Upton:

-purchased home early 2013 and there was no TISH available at closing; generally speaking, that's required to sell a home in St. Paul

-she was unable to find any other information that might be helpful as far as when the property was converted to a 3 bedroom

-it was listed as a 3-bedroom in the MLS listing when her company purchased it in 2013; upgrades were done at that time and it's been a rental property since then

-we learned of the deficiency during the C of O inspection

-the house recently passed Section 8 Housing inspection (Jan 26, 2016); it passed as a 3-bedroom and the tenant was allowed to move in

-asking for a variance to allow it to remain a 3 bedroom (4" variance)

Ms. Shaff:

-found a TISH dated Apr 1, 2013; it calls the upper level "attic space"

-is surprised that Section 8 passed it

Ms. Upton:

-unfortunately, she was not with the company in Apr 2013; they didn't open their local branch until Sep 2013

-this property was purchased by their company out of Arizona and then 3rd party vendors were brought in to do whatever they did and rent out the home; she did not go into the house until around Nov 2015

-she will obtain a copy of that TISH

Ms. Shaff:

-noted: there are some things that were installed since 2014 but there are no permits on file (photos)

-there are no permits on any of the attic work (conversion), which would all be required under permit; then, all of those things would have been caught

Ms. Upton:

-when she got the letter back after the inspection, she checked through her records, which indicated the water heater had been replaced in 2014; she went back to that vendor and put it in his lap as far as where's the permit? Why wasn't it closed out? So, he is working on that
-she can try to go back to figure out why there was no permit for the attic conversion; try to get someone to become accountable

Ms. Shaff:

-that seemed to have happened since the latest TISH
-it's not code compliant and can't be used as a sleeping area
-it can be used as a storage area

Ms. Vang:

-it will be hard to get a variance on this since there's a 4 inch short fall

Ms. Upton:

-we don't want to jeopardize anyone
-will check about the permits; however, she doesn't know if she should put a lot of effort into that since it's not really going to matter because it's not code compliant and I probably won't get the variance

Ms. Shaff:

-Ms. Vang will not recommend granting a variance so, it becomes a civil issue
-in the end, it's the owner's responsibility to make sure that the contractor or the persons doing the work get the appropriate permits
-the only permit that is showing is from 2013 when they raised the water meter out of the pit
-the whole attic doesn't meet code; and people cannot sleep there anymore
-the people sleeping up there can sleep downstairs in the living room; they can be redistributed in the house but people need to have adequate egress; also, a smoke detector and CO alarm must be within 10 feet of a sleeping area
-re-inspection will take place at 11:30 am Mar 17, 2016

Ms. Upton:

-so, basically, it's a 1-bedroom house
-the tenants said that they were not sleeping upstairs anymore

Ms. Vang:

-will deny the appeal

Deny a variance for the attic space to be used as a bedroom.

Referred to the City Council due back on 4/6/2016

2:30 p.m. Hearings

Vacant Building Registrations

- 9 [RLH VBR 16-14](#) Appeal of Stavros Haidos to a Vacant Building Registration Requirement at 975 REANEY AVENUE.

Sponsors: Prince

Stavros Haidos, owner, appeared.

Fire Inspector Leanna Shaff:

-were here last in Dec 2015 for a Vacate Order

-Ms. Moermond said that she wasn't comfortable with a Vacate Order and we needed to connect it to some more long term noncompliance; she made some deadlines:

Jan 15, 2016 for compliance in 3 units that were not the burn unit; then, Jun 15, 2016 for the fire damaged unit

-read some of Inspector Franquiz' notes: Jan 21, 2016 - received a phone call from owner requesting more time because she has problems with her home back in Chicago; he replied that he couldn't give more time because the date was set up by the Legislative Hearing Officer; I informed her to call her office; I received an email from Mai Vang stating that Ms. Haidos had contacted the LH's office and has placed a request; I waited for a response but did not receive on; since I did not receive a response, I went to the property to perform the re-inspection but no one showed up; I placed 2 Revocation placards on the house and informed my supervisor (me) and she has advised me to call the owner and try to set up an appointment; I called the owner on Jan 20th at 9:08 am - no answer; left message; I called again Jan 21st at 2:54 pm - no answer; left a message; I called again Jan 22nd at 3:01 pm; I got a text saying 'Send a message; I can't talk; I sent a text at approx. 3:15 and no response

-next entry by inspector: Jan 28 at 8:31 am: yesterday morning I received an email from owner stating that she has been sent out of town to CA for work issues; she was trying to make a re-inspection appointment; I spoke to my team lead (me) and she has advised that I respond back to her and try to set up an appointment for this or next week; I sent a text message back at approx 8:40 am to Ms. Haidos to set up appointment for Feb 1, 2016; I even sent a text to her at 3 pm reminding an offering different ways to contact me; it has been more than 24 hrs and I have not received a phone call, email or text message back; I've been instructed by my team lead (me) that if we cannot get compliance, we will send the property to Vacant Buildings granted that I verify that the building is vacant; I will go to the property tomorrow to verify

-Feb 1, inspector writes: I visited the property and it appears to be vacant; I knocked on both apartment doors and no answer; there's been no response from the owner; sending to VB

-the City Council sits in a quasi judicial role; if an Appellant doesn't agree with the Council's decision; the next step is the MN Court of Appeals

-Ms. Moermond's recommendation to the Council was adopted

-Chap 40 of Legislative Code says that we notify by first class mail; Inspector Franquiz went way beyond the call of duty by texting, emailing, phoning, etc. in order to inspect the property; we even gave him more time than the Council decided

-this building cannot be occupied; it did not come into compliance with the Council's requirements and it was sent to the VB Program on Feb 1, 2016 as a Category 2 status (has multiple code violations)

Inspector Matt Dornfeld, Vacant Buildings:

-we didn't actually open the Category 2 VB file until Feb 10, 2016

-35 items on the deficiency list

Ms. Shaff:

-the fire damaged unit has been that way for a couple of years; there were some insurance issues, monetary issues, etc; but we needed to get this wrapped up; it couldn't be occupied because of occupancy separation issues, fire issues, etc; and Ms. Moermond was putting a clear deadline on when that needed to be in compliance; however, we didn't get compliance on the other 3 units or ones that we could verify; when it goes to VB, it can't be occupied, any of it

Mr. Haidos:

-most of those 35 items are on the burned out unit
-here's his understanding; first of all, he had asked to have this date re-scheduled; we were told 2 things at the last hearing: 1) we were going to get a different inspector; Ms. Moermond had promised us that we would have a different inspector who would be contacting use - that never happened; and 2) we never received a first class mailing of the new date; we went to the inspector and asked him for a new date; he said that he couldn't change it; that we had to go through LH, so, we did and we were told that we would receive a letter of when the new date; we never received a letter or any mail about what this new date was going to be (re-inspection)

Ms. Shaff:

-I inspected the property myself; Inspector Franquiz did join me; it was to verify the issues; she believes that it was in the paperwork that she would be inspecting that property
-according to the notes, I said on Dec 1, "Ms. Haidos and I along with Inspector Franquiz met yesterday and went over to the building; some things needed to be removed from the list, which has happened; there are questions about the unit that had the fire; there are some occupancy separation issues; ceilings and walls; there's a whole lot more in question; next, we need a deadline for compliance." I'm not seeing where we would go forward with a different inspector.
-Ms. Haidos talked about occupying one of the units but we would still inspect the exterior, the common areas and any units that are rental
-in a case where there's 4 units, one occupied by the owner, we would inspect the exterior, the 3 rental units and all the common areas; and the Orders go to the owner

Ms. Vang:

-the minutes indicate that Ms. Moermond said she would grant until Jan 15, 2016 for you to come into compliance
-did you make any effort to try to repair?

Mr. Haidos:

-yes; and a number of times we asked about this first one - permit is required for this bathroom toilet because during the inspection, the tenant, whom I was evicting at the time, said that I had changed this toilet, which I didn't do; now, it's still on my list; the toilet was never on previous lists; they never mentioned that there was anything wrong with this toilet, so, why would I replace it; the tenant was just trying to get me in trouble
-the other things on the list are very minor; nothing major in the 3 units
-the only thing that he couldn't fix was new mortar placed between the sidewalk and the building (can't be done now)
-most of items are painting, fixing holes, etc.

Ms. Vang:

-asked why neither he nor his wife were available on 5 difference incidences

Mr. Haidos:

-that day we were not available because the pipes had frozen in the building in Chicago and we had been told that we were going to get a re-inspection date from a different inspector through first class mail; we never received anything
-we had not changed our address

Ms. Shaff:

-we send a letter, dated Dec 9, via first class mail when we make the appointment but the appointment was made for Jan 15 at 10 am; we did not receive returned mail
-we made every effort in order to accommodate to reach them in order to come to an

agreement about a date

-they didn't show up for the inspection; didn't respond to our inquiries, etc.

Mr. Haidos:

*-there was no letter; no email; no phone call; he has my email address; he never returned my calls about questions I had; he is not responding to me
-and if he come back, he's going to ask about the permit for the toilet even though I didn't replace the toilet; I'm trying to get these things done on my list*

Ms. Vang:

-so, what are you asking today?

Mr. Haidos:

*-on the list, the first thing is this bathroom; I've asked about this toilet and I'm asking now; this toilet wasn't changed, why is it still on my list; the last time, the tenant even said that it wasn't changed so, why?
-first of all, I thought we were going to get a different inspector; and secondly, I thought the date was going to be mailed to us in the mail*

Ms. Shaff:

-I'm not sure what the tenant did nor didn't say

Ms. Vang:

-even though you still had the same inspector, you did have a deadline and you had to work with the existing deficiencies

Mr. Haidos:

*-so, I'm trying to work with the inspector on this first deficiency and I'm getting no response, so, what do I do?
-and, I'm still not getting a response; so, what do I do?
-I want to have this all done....
-every item is corrected (except for outdoors)*

Ms. Vang:

-so, can we schedule a meeting?

Ms. Shaff:

*-Ms. Vang, this has already been adopted by the City Council; I have no interest is going against what the Council has already recommended
-it's Mar - way past... and we have 3 units that are not in compliance*

Mr. Haidos:

-so, how do I get these inspected to get them in compliance; sounds like she doesn't want to inspect them

Ms. Vang:

*-it's now in the Vacant Building Program, a Category 2
-she asked Inspector Matt Dornfeld what the next step would be*

Mr. Dornfeld:

*-the next step would be to order a Code Compliance Inspection - 4 trades inspectors: building, plumbing, electrical and mechanical will come out and inspect interior and exterior, put gether their findings in a report and send it to you
-then, it will be up to you to pull the appropriate permits and do the work*

Mr. Haidos:

-so, I can't get an inspector out to look at it?

Ms. Vang:

-I agree with Ms. Shaff; they gave you enough time

Mr. Haidos:

-but they never gave me the proper first class mailing for a re-inspection; I never got anything; there was never a letter sent

Ms. Shaff:

-the letter was send Dec 9, 2015 for the first inspection

Mr. Haidos:

-right; but I never got my re-inspect date; I was told that I was going to get a letter

-I tried to call to find out about #1 and this and I never got a response back

-I never got an email; can you show me the email you sent; is there any letter that they can show they sent me about a re-inspect date?

-they never send me anything about a re-inspect date

-when I called to this office, they said that I'd get a letter with a new date; I said, "OK;" I was expecting a letter; I was told I'd get something in the mail with a new date

Ms. Shaff:

-from what I understand, it would take a whole new resolution to change dates; so, as far as we're concerned, without that resolution, we're not going to do something different.....

Ms. Vang:

-will deny the appeal; the building is now in the VB Program

Mr. Haidos:

-I want to attend the City Council Public Hearing because I deserve a letter or an email or

-also brought up a garbage issue; and the building next door (973 Reaney) to him got their C of O and they're still parking their cars on unapproved surfaces and they keep throwing mattresses and garbage over onto my property and I got a clean-up Notice; (will be sent to Inspector Seeley)

-he did receive the VB registration in the mail

Mr. Dornfeld:

-Inspector Friel on Feb 19, 2016 documented that this building was vacant and secure; couch & box spring in back alley (from next door); issued a Summary Abatement to remove (was done by owner-garbage man took it)

-we'll have somebody take a look at 973 Reaney (unapproved parking, etc.)

-you can review the VB registration letter and if it's confusing, you can give me a call and will gladly help you

Ms. Vang:

-you can attend the City Council Public Hearing Apr 6, 2016

Deny the appeal. Property owner needs to go through code compliance inspection.

3-29-16: owner called and stated he cannot make April 6 PH and asks to be rescheduled. Rescheduled to April 20 PH.

Referred to the City Council due back on 4/20/2016