



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
Mary Erickson, Hearing Secretary
legislativehearings@ci.stpaul.mn.us
651-266-8560

Tuesday, September 27, 2011

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 **RLH RR 11-65** Ordering the rehabilitation or razing and removal of the structures at 698 FOURTH STREET EAST within fifteen (15) days after the October 19, 2011, City Council Public Hearing.

Sponsors: Lantry

To be referred back to Legislative Hearing on November 8 and City Council public hearing on December 7, 2011.

RE: 698 Fourth St (single family) new hearing

No one appeared.

Ms. Moermond:

- memo to file from Mai: Kris Kujala, Ramsey County Tax Forfeited Land, called regarding the above referenced matter indicating she won't be able to make it to the hearing this morning. Mai asked her how Ms. Moermond should proceed. Ms. Kujala said HRA is interested in acquiring the property as to the neighboring property, 694 4th St.

- thinks it's one of 3 properties (two already owned by HRA) in a row; HRA wants to do the rehab in this area

Steve Magner, Vacant Buildings:

- received email from Mandy Bowen, Select Servicing Inc: "I received the attached Notice of public hearing scheduled for Sep 27, 2011 at 9 am and this property was lost to taxes, so, we will not be attending the hearing. I also included the auditor's certificate showing title....."

- report:

- two-story wood frame single family dwelling on lot of 4,782 sq ft

- vacant since May 14, 2008

- current property owner State of MN Trust Exempt c/o Ramsey County

- Jun 29, 2011 inspection conducted; list of deficiencies developed; photos taken

- Order to Abate Nuisance Bldg posted Jul 14, 2011; compliance date Aug 15, 2011

- as of this date, property remains in a condition which comprises a nuisance as defined by legislative code

- estimated market value of \$16,500 on land; \$2,700 on bldg
- became tax forfeit Aug 4, 2011
- VB fees pd by assessment Jun 20, 2011
- Code Compliance inspection Mar 1, 2010 has expired; Performance deposit not posted
- 8 SA since 2008
- 12 WO: 1)garbage/rubbish; 2)snow/ice; 3)grass/weeds; 4)boarding/securing
- estimated cost to repair \$50,000-\$75,000; estimated cost to demolish exceeds \$10,000

Amy Spong, Heritage Preservation Commission (HPC):

- very early properties - 1876 workers cottage
- was surveyed in 1989, part of Dayton's Bluff Historic Site Survey
- at that time, 1992, City Council declared this area Heritage Preservation District
- is classified as a contributing bldg within the historic district
- raised from the street, has a shallow setback, poured concrete wall, on a narrow lot 1 1/2 story
- one-story porch on the front and rear
- one-story addition
- stucco was applied in lieu of the wood clapboard
- has early enclosed porch - some details
- HPC recommendation is to refer this to HPC board review
- entered the letter from SHPO on the 106 review
- entered a memo from Patricia James wrote to DSI in response to the SHPO letter, basically, saying you also need approval from the City's HPC before demolition may take place
- SHPO also says they would appreciate hearing the opinion of the Saint Paul HPC on this matter
- believes that Christine Boulware has already been communicating with Sheri Pemberton

Ms. Moermond:

- HPC review would be a very good thing, taking into account the county's ownership role (provide good background info)
- she will recommend it go to HPC meeting on October 27, 2011
- scheduled for CCPH Oct 19, 2011

Mr. Magner:

- understood from county they would not refer it to the 4R Program until a determination is made by HRA, which has not formally picked up the reins on this
- probably should have a 2-track system where we refer it to HPC for a couple of months so we know their determination and in the meantime, we need to make sure PED staff is aware of the action and that they know that it's been sent to HPC; that they should be acting timely to see if they want the bldg - they should start the paperwork to do that so that it doesn't tie up the hands of the county
- there's a Code Compliance report that Sheri can start working from (using Erchul's staff) - should give Ms. Spong the findings she needs for HPC board
- historically, Ramsey County doesn't do anything if the City puts a hold on a property because they assume the City will take it

Ms. Moermond:

- as soon as the minutes are finished from today, we'll send them along with all the materials that we have on this to Sheri Pemberton and Cindy Carlson, PED, and let them know where we are in the process; also to Kris Kujala and Paul Scharf, Ramsey County
- will recommend that Council lay this matter over to Dec 7, 2011 (LH Nov 8, 2011)

- county would not have had a chance to do a scope of work on it
 - just talked with Kris Kujala on this
 - have had no experience with this type of set up (Erchul's staff could ask for a lock box - Paul Scharf would be a good contact to get that set up)

Ms. Spong:

- staff does not have required findings to recommend to HPC: 1) rehab costs; 2) structural report

Referred to the City Council due back on 10/19/2011

- 2 [RLH RR 11-60](#) Ordering the rehabilitation or razing and removal of the structure(s) at 107 LITCHFIELD STREET within fifteen (15) days after the October 5, 2011 City Council Public Hearing.

Ms. Moermond's recommendation is forthcoming.

RE: 107 Litchfield St (duplex)

No one appeared.

Steve Magner, Vacant Buildings:

- LH Layover, heard Sep 13, 2011
 - Kris Kujala and Paul Scharf, Ramsey County, were present and they had just received this property and had to inventory it to make a determination as to whether they would recommend it be put into the 4R Program or remove it
 - this LH was scheduled for them to report their progress
 - did not receive any emails from the county on this in the interim

Amy Spong, Heritage Preservation Commission (HPC):

- referred to previous LH report
 - pulled index card and Sanborn Maps
 - previous recommendation is consistent with what they've found since
 - whole front porch is completely gone
 - no integrity or character left

Ms. Moermond:

- scheduled at CCPH Oct 5, 2011
 - recommendation is forthcoming

Referred to the City Council due back on 10/5/2011

- 3 [RLH RR 11-63](#) Ordering the rehabilitation or razing and removal of the structures at 627 OHIO STREET within fifteen (15) days after the October 19, 2011, City Council Public Hearing.

Sponsors: Thune

Remove the building within 15 days with no option for repair.

RE: 627 Ohio St (single family)

Chouche Yang and Ge Xiong, prospective buyers, appeared. (They are doing the paperwork)

Steve Magner, Vacant Buildings:

- one and one-half story wood frame/masonry single family dwelling on lot of 11,326 sq ft
- vacant since Nov 15, 2010
- property owner RV Holdings Five LLC per Ramsey County
- Jul 13, 2011 inspection conducted; list of deficiencies developed; photos taken
- Order to Abate a Nuisance Bldg posted Jul 20, 2011; compliance date Aug 22, 2011
- as of today, property remains in a condition which comprises a nuisance as defined by the legislative code
- estimated market value \$34,200 on land; \$74,800 on bldg
- taxes for first half of 2011 are delinquent in amount \$1,658.34
- VB fees for 2010 were paid Dec 13, 2010
- Code Compliance inspection done Jan 7, 2011; - \$5,000 performance deposit not posted
- 4 SAs since 2010; 1 WO for boarding/securing
- estimated cost to repair between \$50,000-\$60,000; estimated cost to demolish \$10,000-\$12,000

Amy Spong, Heritage Preservation Commission (HPC):

- permit shows built 1886
- salt box design; still has full front open one-story porch as well as an early rear addition, probably a kitchen
- stucco covers lap-sided house
- are some integrity issues - things have been changed over time from original
- don't have recent survey of West Side
- set up high with retaining wall on front or property
- demolition would not have an adverse affect

Ms. Yang:

- did paperwork to purchase property and were going to have it notarized
- before that could happen, the lady said we should come to this hearing because the City was going to demolish it
- we were going to fix it up
- she was going to sell it to us for \$21,000
- has Purchase Agreement

Mr. Magner:

- explained that this bldg is a Cat 3 registered VB (declared dangerous or a nuisance); and there is a City Ordinance prohibiting the sale of such bldgs
- unfortunately, the Appellants cannot purchase this property unless the seller is willing to completely renovate the bldg and obtain a Code Compliance Certificate, after which they can sell the property
- suggested Appellants send back the Purchase Agreement and request their earnest money back if they have put it down

Ms. Moermond:

- lacking someone in an ownership position to propose the rehab, she will recommend removing the bldg within 15 days with no option for rehab

Referred to the City Council due back on 10/19/2011

4 [RLH RR 11-64](#)

Ordering the rehabilitation or razing and removal of the structures at 678 ORLEANS STREET within fifteen (15) days after the October 19, 2011, City Council Public Hearing.

Sponsors: Thune

The following conditions to be met and in Ms. Moermond's office by 10 am, Monday, October 10, 2011:

- 1) post the \$5,000 performance deposit;*
- 2) maintain the property;*
- 3) provide a detailed work plan showing how the rehab will be done and a timeline of activities*
- 4) provide financial information dedicating the necessary funds for the project (at least, \$50,000 or whatever it takes to meet bids)*
- 5) a current VB registration form for contact info*

RE: 678 Orleans (single family)

Andrew Jones, Realty Group Inc, works for Bank of New York Mellon Trust c/o Country Home Loans Inc, appeared

Steve Magner, Vacant Buildings:

- one-story wood frame single-family dwelling on lot of 6,098 sq ft*
- vacant since Dec 30, 2009*
- property owner listed as Bank of New York Mellon Trust c/o Country Home Loans Inc*
- Jul 14, 2011 inspection made; list of deficiencies developed; photos taken*
- Order to Abate Nuisance Bldg posted Jul 20, 2011; compliance date Aug 22, 2011*
- as of this date, property remains in a condition which comprises a nuisance as defined by the legislative code*
- estimated market value \$23,200 on land; \$99,300 on bldg*
- taxes are current*
- 2011 VB fee remitted by check*
- Code Compliance inspection application pending as of Sep 26, 2011*
- performance deposit not posted*
- 10 SAs since 2009; 7 WOs issued for: 1) garbage/rubbish; 2) snow/ice; 3) grass/weeds; 4) boarding/securing - (last WO sent Jul 27, 2011)*
- estimated cost to repair \$50,000; estimated cost to demolish exceeds \$10,000-\$12,000*
- Code Compliance inspection, applied for Sep 26, is pending*

Ms. Amy Spong, Heritage Preservation Commission (HPC):

- 1886 frame construction workers cottage on a corner lot*
- some early additions on side and rear*
- Sanborn Maps are not very clear in this case*
- some definite integrity issues: wood siding has been covered up with asbestos siding; a lot of aluminum wrapped trim; not original doors and windows;*
- on West Side - only survey info for West Side is from 1981; this bldg was not surveyed at that time*
- staff's recommendation is demolition - would not have an adverse affect to the historic character*

Mr. Jones:

- New York Mellon acquired property thru foreclosure*
- it was re-assigned to Realty Group about 4-5 months ago*
- does not want to tear down the house*
- they tried to address some of the issues*
- we check our properties once every week or two*
- they need to acquire bids for everything, including mowing lawn, and send them to the bank for approval (cumbersome and delays work getting done)*

(Ms. Moermond said that doesn't speak well of the bank's ability to manage a property during rehab)

- bids for rehab are in
- we are contracted to do the management of the bldg as well as the selling

Ms. Moermond:

- a \$5,000 performance deposit needs to be posted
- maintain the property (City wants no problems whatsoever)
- provide a Work Plan that shows how the rehab will be done and a timeline of activities
- proof of financial capability and the necessary funds set aside (at least \$50,000) or whatever it takes to meet bids)
- need a current VB registration form for contact information
- all these must be in her office by 10 am, Monday, Oct 10, 2011
- CCPH Oct 19, 2011
- this will be reviewed at LH Tue Oct 11, 2011

Laid Over to the Legislative Hearings due back on 10/11/2011

- 5** **RLH RR 11-66** Ordering the rehabilitation or razing and removal of the structures at 846 SMITH AVENUE SOUTH within fifteen (15) days after the October 19, 2011, City Council Public Hearing.

Sponsors: Thune

Remove the building within 15 days with no option for repair.

846 Smith Ave S (single family)

No one appeared.

Steve Magner, Vacant Buildings:

- two-story wood frame single-family dwelling with detached two-stall garage on lot of 6,970 sq ft
- vacant since Sep 25, 2008
- property owner Daniel Rudnick per Ramsey County
- Jul 7, 2011 inspection conducted; list of deficiencies developed; photos taken
- Order to Abate Nuisance Bldg posted Jul 20, 2011; compliance date Aug 22, 2011
- as of this date, property remains in a condition which comprises a nuisance as defined by legislative code
- estimated market value \$23,300 on land; \$61,400 on bldg
- taxes are delinquent as follows: 2009 - \$1,969.41; 2010 - \$4,190.78; and first half of 2011 - \$1,429.52 for total: \$7,589.70 (Scheduled to forfeit in 2015)
- VB fees paid by assessment Oct 22, 2010
- as of Sep 23, 2011, Code Compliance inspection not done; \$5,000 performance deposit not posted
- 17 SAs since 2008; 11 WOs for garbage/rubbish; snow/ice; grass/weeds; exterior
- estimated cost to repair \$70,000-\$80,000; estimated cost to demolish \$12,000-\$14,000
- bldg is owned outright
- Mr. Rudnick got it as a Warranty Deed in 1995 from Albert B Oase
- Jun 15 note in Amanda indicating owner called and said he would not be able to meet for the VB inspection appointment and re-scheduled for Jul 7; previous notes indicate owner called and asked for extensions on SAs

Ms. Moermond:

- looks like a case of abandonment
- Mr. Rudnick stopped paying taxes a couple yrs ago

Amy Spong, Heritage Preservation Commission (HPC):

- 1900 worker's cottage; - vinyl over clapboard
- front porch has been enclosed; - front wood deck has been constructed
- also some non-original windows and doors
- corner property (unfortunate to lose)
- large metal shed across one street; - commercial bldg across the side street
- area has lost a lot of its context
- demolition would not have adverse affect based on loss of integrity and neighborhood

Ms. Moermond:

- odd situation
- will recommend removal of bldg within 15 days with no option for repair
- (no info available to save it)
- nbhd will have great planning opportunity for that corner

Referred to the City Council due back on 10/19/2011

6 [RLH RR 11-52](#)

Ordering the rehabilitation or razing and removal of the structures at 1440 ROBLYN AVENUE within fifteen (15) days after the September 7, 2011 City Council public hearing. (Public hearing held September 7; laid over from September 21)

Sponsors: Carter III

Remove the building within 15 days with no option for repair.

RE: 1440 Roblyn Ave

No one appeared.

Ms. Moermond:

- when this went to City Council the first time, the idea was that there would be a LAYOVER to allow this to go thru the rest of site plan review
- anticipated that appellant would file the bldg permit at the same time as the plan review but did not; he did only site plan review
- CC was dismayed and LAID IT OVER to CCPH Sep 28, 2011

Steve Magner, Vacant Buildings:

- had conversation with Corrine Tilley (who's in charge of the site plan) and Jim Bloom, Bldg official plans examiner, this morning to make sure that DSI had done everything they needed to in order to move this project forward
- asked Ms. Tilley to send him and Ms. Moermond an email
- read email from Corrine Tilley into record: requirements that remain unmet: 1) a complete set of site plans revised to reflect Sep 20 meeting's comments; 2) detailed usable area for each floor on the plan so that a trip generator can be determined; 3) revised driveway, curb cut, sidewalk design to meet City standards; 4) revised sewer utility plans; 5) revised detail for erosion control plans; 6) revised water utility plans; 7) a complete set of architectural plans for permit review; 8) a bldg permit application not submitted; 9) a SAC determination not submitted
- Mr. Thorne has not completed all of the above to the minimum requirements for DSI in order to proceed with approvals and issuance of permits
- DSI recommends removing the bldgs that are up on beams within 15 days

Ms. Moermond:

- will recommend the removal of these bldgs within 15 days

Referred to the City Council due back on 9/28/2011

RLH RR 11-19

Ordering the rehabilitation or razing and removal of the structure(s) at 936 EARL STREET within fifteen (15) days after the August 3, 2011 City Council Public Hearing. (Public hearing continued from August 3) (To be referred back to November 22, 2011 Legislative Hearing and City Council public hearing continued to December 7, 2011)

Sponsors: Bostrom

Ms. Moermond will recommend Layover to LH Nov 22, 2011 due back at CCPH Dec 7, 2011.

RE: 936 Earl St (duplex)

No one appeared.

Ms. Moermond:

- we have a contractor who is calling frequently (Amy Spong has received some calls)

- owner and Council are not particularly in salvaging this property

- City Council LAID THIS OVER to Oct 5, 2011

- she will request the CC do another LAYOVER to LH Nov 22, 2011 (back at CC Dec 7, 2011)

- will recommend this LAYOVER at CCPH Oct 5, 2011

Amy Spong, Heritage Preservation Commission (HPC):

- mentioned this to Sheri Pemberton

Referred to the City Council due back on 10/5/2011

11:00 a.m. Hearings

Summary Abatement Orders

- 7 **RLH SAO 11-32** Appeal of Alfred Hill to a Summary Abatement Order at 410 CHARLES AVENUE.

Sponsors: Carter III

Deny the appeal and grant an extension to October 3 for compliance.

RE: 410 Charles Ave (single family)

Alfred Hall appeared

Steve Magner, DSI:

- appeal to SA

- Sep 14, 2011 - Inspector Mashuga issued SA to remove improperly stored or accumulated refuse, including garbage, rubbish, discarded furniture, appliances, vehicles parts, scrap wood, metal, recycling material, household items, bldg materials, rubble, tires, brush, etc from yard

- compliance date Sep 22, 2011

- appeal filed Sep 21, 2011
- Sep 26, 2011-Insp Mashuga went out and took photo (submitted)
- a violation still exists per Legislative Code
- City would be asking owner to remove items
- SA sent to Jimmie Collins, PO Box 25893, Woodbury, MN; and Occupant
- ultimately, it's the responsibility of the owner, Mr. Colliins, to deal with these items; if he fails to do that and the City sends a crew out to do it, the cost will be assessed to his property

Mr. Hall:

- lives at 410 Charles
- they moved in about Aug 16, 2011 and most of the material was there when they moved in
- someone's been dumping since we moved in (TV, tires, box of broken dishes)
- from the house, he can't see who's dumping in back yard
- he has lived on West Side for most of adult life
- he does his best to keep his property clean
- it's unfair that people are using the back of his house for a dump site and want him to be responsible for it
- this is a problem; doesn't want it to be a constant problem moving forward
- landlord provides garbage service
- outside of a police report, what else can we do?
- he's spoken to garbage hauler who said if items are not in container, he won't haul it
- doesn't want to be the nbhd dump site

Mr. Magner:

- illegal dumping can be reported to the SPPD; unfortunately, it's a constant problem throughout the city
- City does make the victims responsible for the clean-up; City doesn't have the means to pick up all items that are dumped
- the sooner items are removed, the better
- also, keep container inside or in side yard
- items left out will attract other items

Ms. Moermond:

- signage doesn't hurt "No illegal dumping"
- motion triggered lighting may help
- checked record: dumping has been a problem off and on; mostly off
- complaints: 2008; one in 2010; three in 2011
- can contact nbhd beat cop who might have some info and resources to help
- let landlord know that dumping is a problem
- cheapest way to handle is to drive the dumped material to Viola site on Como or the Water St dump - keep receipts and send them to landlord
- will recommend denying the appeal and grant extension to Mon Oct 3, 2011 to come into compliance
- CCPH Oct 19, 2011

Referred to the City Council due back on 10/19/2011

Orders To Vacate, Condemnations and Revocations

8 RLH VO 11-72 Appeal of Albert Miller to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 2009 ASHLAND AVENUE.

Sponsors: Stark

Deny the appeal and grant an extension to November 1, 2011 for compliance.

RE: 2009 Ashland Ave (4 rental units)

Albert Miller, C of O responsible party, appeared

Fire Inspector Mike Urmann:

- background: been going on since Jan 2011*
- came in by complaint and migrated to C of O system*
- owner's been given many opportunities to comply with Orders since Jan and has yet to pull permits for the completion of the work*
- issue started with a leaking and deteriorating roof*
- inspector found water damage in the unit, which would have needed to be done under permit*
- as of today, there is no permit for any work*
- there is a permit for tank removal and it's been approved*
- he will be looking for permits for the work that has been done*

Mr. Miller:

- needs more time to repair - 30 days perhaps*
- history: this bldg was owned by his parents since early 70s*
- his father passed away years ago and mother owned the bldg and wanted to take care of it by herself*
- 3-4 yrs ago, she fell, broke her hip and moved overseas with his sister*
- she taught in the public school system until she was 83*
- mother and sister wanted to manage this bldg*
- he's the youngest in the family*
- when mom became ill, he's been traveling back and forth overseas; she passed away in Mar-Apr 2011 and bldg was part of estate*
- his sister who lives in New Jersey became trustee*
- bldg is occupied by students of St Thomas (quiet bldg without a lot of problems)*
- most of the work has been done*
- they repaired the roof and fixed the ceiling; metal-wrapped the windows; repaired brick work (DNR Builders)*
- took photos to show they're working on the bldg; will forward to Ms. Moermond*
- wants to get the work done and continue renting the bldg*
- no police call in 40 yrs*
- has smoke detectors installed; painted*
- 41 out of 43 items are finished*
- don't plan to see the bldg*
- basement tank has been taken care of; permit was pulled*
- would welcome a pre-inspection or someone other than original inspector*

Ms. Moermond:

- will bring to attention of Leanna Shaff, supervisor, for residential inspections (She may/may not think that another inspector should be assigned)*
- will grant extension to Nov 1, 2011 or the bldg vacated*
- suggested Mr. Miller ask for an inspection before Nov 1 - call and sep up an appointment 2 wks from now*
- can remove placard*

Referred to the City Council due back on 10/19/2011

9 RLH VO 11-77 Appeal of Juliann Morris to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 633 PALACE AVENUE. (Also see RLH VO 11-78)

Sponsors: Thune

Ms. Moermond recommends denial of appeal and grants an Extension to Friday, September 30, 2011 to come into compliance; must be Vacated Monday, Oct 3, 2011 if not in compliance.

RE: 633 Palace Ave (duplex)

Two appeals: 1) Juliann Morris, tenant; and 2) Ronald Staeheli, owner

Fire Inspector Mike Urmann:

- entered photos taken (show what inspector saw at first inspection)*
- came in under referral; inspector found a heating system was being installed without a permit or mechanical license*
- at that time, he also did the C of O inspection*
- photos are very explanatory: structural defect; plumbing issues; installation and work on furnace*
- still no permit in system for plumbing or mechanical; there is bldg warning folder from the plumbing inspector*
- installation of furnace caused a hazard (carbon monoxide issue) to people living in the bldg (one of the reasons for Condemnation)*
- carbon monoxide detector missing at time of inspection*
- inspector said that the carbon monoxide leak came to their attention, he believes, through the Fire Dept*
- photos under CO file for the re-inspection (some changes have been made without permit)*
- principle violations causing Condemnation:*

Mr. Staehli:

- according to the second contractor he hired to take a look at this, there are only minor items that are wrong with the furnace at this time - it is venting properly; there is no carbon monoxide (been tested)*
- seems that it is being Condemned for not pulling a permit*
- what happened: he hired someone to install the furnace and pull the permit; and apparently, he did not pull the permit (he admitted it to Mr. Staehli); he reported to Mr. Staehli that he was licensed in the City of Saint Paul*
- entered a letter from tenants (deteriorating relationship between him and tenants)*
- entered a police report (tenant told him they were calling the police)*
- had problem getting access to the property ever since this happened*
- Tue, Wed, Thu he was at property with licensed contractors and was refused entry every time*
- tenant asked that he stay away; he stayed away over wknd except to deliver electric heaters on Sun - on front porch*
- have another contractor meeting me there in 1 hr today*
- entered a list of texts gone between him and tenants*
- entered photos*
- he knows permits need to be pulled; he knows furnace needs to be on; knows it's cold out*
- wants to get this done ASAP*
- thinks Condemnation for whole bldg is way over the top; upstairs doesn't share that heating system (just the downstairs) because there isn't a hazard on the property*
- perhaps by Fri, there'll be a working furnace in there*
- structural members are identical to the way they used to be*
- reason basement is wet is because tenants tried to wash out all the vents and duct work after the installer pulled the furnace and before the new furnace was installed*

(basement is not rented to tenants- he'll be putting a lock at the top of the door later today)

- the furnace installer said that the furnace would not have been able to start yet but apparently, on Sat and Mon, the furnace had been running (doesn't know how that happened)

- upstairs unit - dryer that downstairs tenants had transported for upstairs tenant, who installed it and the gas leaked on it, apparently, and they plugged it in with an extension cord and they didn't run the venting out right (been pulled out - Xcel can to cap the gas line)

- looking for the Condemnation be lifted or at least, for the upstairs unit and an extension of 10 days to get it all done - furnace installed and signed off

- foundation is very thick and columns have steel members next to them carrying all of the load; no structural deterioration on the property

Ms. Morris:

- wishes to affirm every item in the Notice of Condemnation issued by Inspector Beumer

- reason the inspector showed up is because a furnace was promised to them upon agreeing to take possession of the rental as of Aug 15, 2011; previous tenants vacated Jul 31, 2011 (the unit was the most horrific, filthy tenancy she has ever walked through); out of desperation to get a tenant, owner promised a new furnace; stench from dogs; many rodents; there was a dirt sludge filling every heating vent - when the furnace went on by itself, the stench of pet feces and urine was coming up thru the vents. She notified the owner that the 1958 furnace needed to be replaced immediately and the vents needed to be cleaned or replaced; she was promised it would be replaced by Aug 15, 2011, which came and went without a furnace. Then, she was promised by Aug 31, 2011 that the bldg would be up to code - furnace replaced, vents cleaned and all of the filth would be removed from the home. She, personally, was in there doing most of the cleaning. Aug 31, 2011, when they were forced to move in, it was not completed - then, she was promised absolutely, Sep 15, 2011, the new furnace would be completely installed and running because the owner would be vacating the state at the beginning of Oct for their winter residence. She was fine with that as long as the furnace was installed, even though she was cleaning up everything - yard, basement, etc. Basement had mold and mildew and stench from backed up sewer drain, not from washing the vents. Sewer drain is clogged and improperly installed. There is also water leaking down the wall of the house (documented in report) for over a year. Her husband went onto the roof to show the owner where the water was coming down - there was mold on the kitchen walls that she had abated - kept returning. Water was leaking thru the ceiling light and one other lights shorts out repeatedly in the ceiling because of the water damage to it. When it rains, water seeps down from the second floor wall to the main floor wall and into the basement - that's where it has caused damage to the foundation (underneath the kitchen). You can see it clearly as you walk thru the units because the wall has searated from the flooring by 2 inches (bowed).

- they couldn't even proceed with unpacking because Mr. Staehli would show up "whenever"; they he'd say he'd be there at a certian time and didn't arrive or arrived late; he'd stay about 30 minutes, then say he had to go get parts and disappear

- then her husband became more assertive with his texts: "Tell me when you are going to be here; when will this be done and who is going to do the work?"

- clearly, the owner and his son, Bryce, are the only people who have ever set foot in that house to do any work

Ms. Moermond:

- scanned all entered photos and documents

Referred to the City Council due back on 10/19/2011

- 10 **RLH VO 11-78** Appeal of Ronald Staeheli to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 633 PALACE AVENUE. (Also see RLH VO 11-77.)

Sponsors: Thune

Referred to the City Council due back on 10/19/2011

Staff Reports - Tax Assessments (Oct 5 CPH)

- 11 **RLH TA 11-382** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1115A1, Assessment No. 118133 at 1126 SIXTH STREET EAST.

Sponsors: Lantry

Delete the assessment.

RE: 1126 Sixth St E (single family)

Steve Magner, Vacant Buildings:

- received video tapes from Inspectors Seeley and Essling to view today

Viewed video

Ms. Moermond:

- lawn looks as though it was moved

- will recommend this assessment be deleted

Referred to the City Council due back on 10/19/2011

- 12 [RLH TA 11-378](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1111E, Assessment No. 118128 at 886 ROSE AVENUE EAST

Sponsors: Bostrom

Approve the assessment.

RE: 886 Rose Ave E (single family)

Steve Magner, Vacant Buildings:

- request by Mai for more info

- \$50 Excessive Consumption charge

- work was done by owner prior to the crew coming to the property

- Jun 9 inspected (vacant and secured; tall grass, weeds, bushes growing into sidewalk right-of-way; old table near alley); SA issued

- Jun 21 re-inspection; same as on Jun 9; WO issued Jun 22

- Jun 22 crew went out and found the work had been completed by owner

- based on Ch 34 - DSI is requesting \$50 reimbursement for noncompliance with the SA which resulted in WO

Ms. Moermond:

- will recommend approval of the assessment

Referred to the City Council due back on 10/5/2011

1:30 p.m. Hearings**Correction Orders****Fire Certificates of Occupancy**

- 13 **RLH FCO** Appeal of Steven Thao to a Fire Certificate of Occupancy Inspection
11-404 Correction Notice at 925 EUCLID STREET.
- Sponsors:** Lantry
- Grant a 3.5-inch variance on the openable height of the egress windows in the upper floor north and south bedrooms; deny the appeal on the window well and main floor dining room electrical fixtures issues. the re-inspection date has been changed to November 15, 2011 for all items. (Wayne Spiering)*
- Referred to the City Council due back on 10/19/2011**
- 14 **RLH FCO** Appeal of Wayne A. Olson to a Fire Certificate of Occupancy Inspection
11-393 Correction Notice at 953 FOREST STREET.
- Sponsors:** Bostrom
- To be referred back to LH in 6 months.*
- Referred to the City Council due back on 10/19/2011**
- 15 **RLH FCO** Appeal of Thao Xiong to a Fire Certificate of Occupancy Inspection
11-391 Correction Notice at 966 LAFOND AVENUE.
- Sponsors:** Carter III
- Grant a 7-inch variance on the ceiling height in the basement.*
- Referred to the City Council due back on 10/19/2011**
- 16 **RLH FCO** Appeal of Brad Nilles/Calabash Properties to a Fire Certificate of Occupancy
11-383 Correction Notice at 732 MARSHALL AVENUE.
- Sponsors:** Carter III
- Laid Over to the Legislative Hearings due back on 10/4/2011**
- 17 **RLH FCO** Appeal of Dennis Eynck to a Re-Inspection Fire Certificate of Occupancy
11-405 With Deficiencies at 2222 MARSHALL AVENUE.
- Sponsors:** Stark
- Referred to the City Council due back on 10/19/2011**
- 18 **RLH OA 11-4** Appeal of Terry L. Fransen to an Inspection Appointment at 658 PLUM
 STREET.
- Sponsors:** Lantry

Laid Over to the Legislative Hearings due back on 10/4/2011

- 19 **RLH FCO** Appeal of Ludmila Bryskin to a Re-Inspection Fire Certificate of Occupancy
11-384 With Deficiencies at 677 SHERBURNE AVENUE.

Sponsors: Carter III

Referred to the City Council due back on 10/19/2011

Window Variances: Hearing Required

- 20 **RLH FOW** Appeal of Rosa E. Arias to a Re-Inspection Fire Certificate of Occupancy
11-165 With Deficiencies at 1026 PROSPERITY AVENUE.

Sponsors: Bostrom

Grant a 5-inch variance on the openable height of the egress windows in the southwest and southeast side bedrooms; deny the appeal on the basement egress bedroom window and sill height issues. (James Thomas)

Referred to the City Council due back on 10/19/2011

2:30 p.m. Hearings**Vacant Building Registrations**

- 21 [RLH VBR 11-61](#) Appeal of Gholamreza Ashrafzadehkian to a Vacant Building Registration
Notice plus Notice of Condemnation as Unfit for Human Habitation and
Order to Vacate at 1119 ARUNDEL STREET.

Sponsors: Helgen

Laid Over to the Legislative Hearings due back on 10/4/2011

Window Variances - No Hearing Required

- 22 [RLH VBR 11-75](#) Appeal of Sue H. Clarin to a Vacant Building Registration Notice and Notice
of Condemnation as Unfit for Human Habitation and Order to Vacate at 1674
MARION STREET.

Sponsors: Helgen

Laid over from Sept 27 to check on whether the water has been restored.

Laid Over to the Legislative Hearings due back on 10/4/2011

- 23 **RLH FOW** Appeal of Carol Yeung to a Fire Certificate of Occupancy Inspection
11-171 Correction Notice at 873 LINCOLN AVENUE.

Sponsors: Thune

No hearing necessary. Grant a 1.5-inch variance on the openable height of the egress windows in the south and north bedrooms of 875 Lincoln and grant a 6-inch

variance on the openable height of the egress windows in the south and north bedroom of 873 Lincoln. (Rick Gavin)

Referred to the City Council due back on 10/19/2011

24 **RLH FOW
11-161**

Appeal of William Perrson to a Fire Certificate of Occupancy Correction Notice at 783 SIXTH STREET EAST.

Sponsors: Lantry

No hearing necessary. Grant a 2-inch variance on the openable height of the egress window in the first level bedroom in Unit 4.

Referred to the City Council due back on 10/19/2011

25 **RLH WP 11-74**

Appeal of Department of Public Health, on behalf of owner, to an Egress Window Non-Compliance Determination at 830 VAN BUREN AVENUE, #1 & 2.

Sponsors: Carter III

No hearing necessary. Grant a 1-inch variance on the openable width of one double hung replacement egress bedroom window measuring 27.5 inches high by 19 inches wide and grant a 1-inch variance on the openable width of two double hung replacement egress bedroom windows measuring 24.4 inches high by 19 inches wide.

Referred to the City Council due back on 10/19/2011

26 **RLH FOW
11-166**

Appeal of Gary Southward to a Fire Certificate of Occupancy Inspection Correction Notice at 1135 WESTMINSTER STREET.

Sponsors: Helgen

No hearing necessary. Grant a 1.5-variance on the openable height of the egress windows in the middle and west bedrooms. (Mike Cassidy)

Referred to the City Council due back on 10/19/2011