



# 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*  
*legislativehearings@ci.stpaul.mn.us*  
*651-266-8585*

---

Tuesday, May 20, 2014

9:00 AM

Room 330 City Hall & Court House

---

### 9:00 a.m. Hearings

#### Special Tax Assessments - LAID OVER

- 1 [RLH TA 14-292](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1407A, Assessment No. 148517 at 425-429 UNIVERSITY AVENUE WEST. (Amended to delete the assessment)

Sponsors: Thao

*Delete the assessment.*

*RE: 425-429 University Avenue West (Commercial/Apartment-B-Commercial)*

*Tuyet Nguyen, owner, appeared.*

*Inspector Paula Seeley:*

- this was re-scheduled*
- Snow Summary Abatement Order issued Jan 2, 2014; compliance Jan 7*
- re-inspected Jan 8; Work Order sent*
- work done Jan 13, 2014 for a cost of \$288 + \$160 service charge = \$448*
- sent to Eric Nguyen, 7804 Stafford Trail, Savage, MN; Nguyen La Eric at same address; and Occupant*
- have photos*
- no returned mail*

*Ms. Nguyen:*

- asking to have the cost lowered; they had a \$25 dumpster behind the building but people kept coming there to dump their trash: mattresses, springs, furniture, etc., and they have been getting charged for it - \$250; they have been trying to clean up that area; their tenants have tried hard to keep things clean - picked up what was on the ground; but people keep coming with their stuff and filling up the dumpster; when it's full, they just throw garbage all over; they tried to lock it but then, too, they just throw it on the ground and we have to clean it up*
- Inspector Cynthia called my mom and told her there was a huge mess; mom called me; I called the renters and they cleaned it up; she thought it had been taken care of; she came a week later and people had thrown more garbage and trash there; she called Waste Management but they said that they wouldn't be able to take it until the end of the month; by the time it was re-inspected, more people had thrown their trash there*
- they didn't have any problem with that until winter time*

- they called Waste Management to come and get the dumpster

Ms. Moermond:

- she viewed the photos with Ms. Nguyen
- Jan 2 photo when Order was written: over full dumpster
- Jan 8 - scattered trash on the ground
- doesn't look like the same garbage as on Jan 2

Ms. Nguyen:

- only 2 people live upstairs at 429
- Jan 8 photo - the dumpster was already removed and we picked up everything
- people from the auto place told us that after we removed the big dumpster, people started throwing down more
- the residents and the auto people helped us clean up
- her parents were gone; she was trying to look out for it but couldn't get there any sooner

Ms. Seeley:

- history: May 16, 20113 - a garbage issue taken care of by owner

Ms. Moermond:

- looks like you made a good faith effort to address the situation
- you dealt with the dumpster and are working with the neighbors
- it was a little slow response with picking up the material on the ground but the material in the dumpster was taken care of that week
- will recommend deleting this assessment

**Referred to the City Council due back on 5/21/2014**

## Special Tax Assessments

- 2      [RLH TA 14-267](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1408A, Assessment No. 148524 at 1290 ELEANOR AVENUE.

**Sponsors:**      Tolbert

*Approve the assessment. No one appeared.*

*RE: 1290 Eleanor Avenue (Single Family)*

*VIDEO - removed snow full width from sidewalk; salted and sanded*

Ms. Moermond:

- part of the sidewalk in front of the house had been shoveled but a good 3-4 yard section of it had not been touched; looked like there had been construction material crossing the sidewalk that had been pulled into the yard but the snow hadn't been addressed
- email says: construction materials should not be in the right-of-way to begin with, especially crossing a sidewalk; this would have needed a right-of-way encroachment permit
- staff will check to see if they have one an encroachment permit and unless they have one, she will recommend approval of this assessment
- staff will retain the VIDEO for the City Council Public Hearing

**Referred to the City Council due back on 6/18/2014**

3 [RLH TA 14-300](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1408A, Assessment No. 148524 at 894 JACKSON STREET.

Sponsors: Brendmoen

*Approve the assessment.*

*RE: 894 Jackson Street (Single Family)*

*Pastor Luches Hamilton, owner, appeared.*

*Inspector Paula Seeley:*

- Snow Order sent Feb 4, 2014; compliance Feb 7; re-checked Feb 10; Work Order sent*
- work done Feb 12, 2014 for a cost of \$160 + \$160 service charge = \$320*
- sent to Luches Hamilton, PO Box 600335, St. Paul; and Occupant*
- no returned mail*
- lots of history in 2012: exterior garbage; tall grass and weeds; snow; city went out 4 times in 2012*

*VIDEO - opened up sidewalk full width; salted and sanded*

*Mr. Hamilton:*

- the tenant was out of town for a couple of days; when she got back she was sick*
- he didn't know anything about it because he goes to his mailbox only once a week; when he got the letter, he went over there... but the city had already done it*
- you realize that we had a bad winter; when you look at the film, he couldn't get all the way down because it was frozen, so he salted and sanded a lot*
- this was a crucial winter for ice build up*
- the neighbor in back of this house calls the city every time there's something*
- the tenants are responsible for the snow removal and cutting the grass*

*Ms. Moermond:*

- there are consequences about not checking the mail more frequently; you would have been aware, had you checked your mail every day*
- the occupant was notified and also didn't take action (out of town and then, sick)*
- by law, she can't look at that; she needs to look at whether the condition existed or didn't exist; it doesn't matter who calls it in*
- when she checked the snow fall for Jan and Feb, that the last significant snow fall happened Jan 24, 25, 26 ( 1 1/2 in; 2 1/2 in; and 1 in)*
- it was fully a week later that the Order was sent out to take care of the snow; there was no additional snow between Jan 26 and when the city crew arrived*
- the law is that it needs to be taken care of within 24 hours from the end of the snow fall*

*Mr. Hamilton:*

- he understands but his tenant was out of town and when she got back, she was sick*
- and the city crew didn't even get down to the cement; they had to salt and sand; the snow gets packed down and then freezes*

*Ms. Moermond:*

- the thing is - as a property owner, it's your responsibility to make sure these things are taken care of*
- the arrangement with the tenant is a private agreement*
- she can't help but recommend that the Council approve this assessment*

Referred to the City Council due back on 6/18/2014

- 4 [RLH TA 14-299](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1407P, Assessment No. 148406 at 374 LEXINGTON PARKWAY NORTH.

**Sponsors:** Thao

*Delete the assessment; graffiti waiver on file.*

Referred to the City Council due back on 7/9/2014

- 5 [RLH TA 14-262](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1408A, Assessment No. 148524 at 537 RICE STREET.

**Sponsors:** Thao

*Approve the assessment. No one appeared.*

*537 Rice Street (Miscellaneous-H-Utility & Other)*

*Ms. Moermond:*

*- no one appeared for the previous hearing, as well; this was the 3rd opportunity and it won't be re-scheduled again.*

*VIDEO - cleared packed snow; salt and sanded*

*Ms. Moermond:*

*- video showed significantly packed down snow that has turned into ice at a major commercial intersection; needed to be salted and sanded  
- will recommend approval of this assessment*

Referred to the City Council due back on 6/18/2014

- 6 [RLH TA 14-293](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1408A, Assessment No. 148524 at 955 SHERBURNE AVENUE.

**Sponsors:** Thao

*Reduce from \$200 to \$100. No one appeared.*

*RE: 955 Sherburne Avenue (Single Family)*

*VIDEO - shoveled but not salted/sanded; have snow packed ice; salted and sanded*

*Ms. Moermond:*

*- read letter from owner who lives out of state; her son lives at this address  
- currently are no future Orders on this property  
- it was shoveled but not sanded at this residential intersection  
- will recommend reducing the assessment from \$200 to \$100, based on a good faith effort having been made and a very good history with the City.*

Referred to the City Council due back on 6/18/2014

- 7 [RLH TA 14-294](#) Ratifying the Appealed Special Tax Assessment for Real Estate

Project No. J1404E, Assessment No. 148306 at 26 SYCAMORE STREET WEST.

Sponsors: Stark

*Inspector will talk to Steve Ubl on whether fencing is possible on the vacant lot of 24 Sycamore.*

*RE: 26 Sycamore Street West (Single Family)*

*Oku Akinmusire, owner, appeared.*

*Inspector Paula Seeley:*

- Excessive Consumption fee for parking on a vacant lot on an unapproved surface*
- Orders were sent Dec 10, 2013; compliance Dec 18; re-checked Feb 6, 2014*
- cost: \$120 + \$35 service charge = \$155*
- a Zoning Enforcement letter was sent Dec 10, 2013 to cease and desist parking on the vacant lot by Dec 17, 2013*
- she has spoken with the owner; he has also come down to the office; he owns the lot (24 Sycamore) next to his house; Ms. Seeley explained everything over and over; he needs to combine the pins with Ramsey County in order to use it as a parking area; there is a curb cut there; he will need to submit a site plan to DSI to put in a driveway and then, a parking pad; he had planned to possibly put in a garage.*
- he didn't follow the Orders*

*Ms. Moermond:*

- we have 2 distinct properties*
- one lot doesn't have a use; it's a vacant lot; there is no use in order to have accessory uses there*
- Ms. Seeley is suggesting he combine the lots (pins) so that he can use the lot for parking*

*Mr. Akinmusire:*

- he has lived almost 15 years in the house at 26 Sycamore St W*
- 24 Sycamore St W used to belong to the neighbor across the street and he used it as a parking lot; when his house went into foreclosure, he talked to the bank and talked to the owner about the vacant lot and could he buy it so that his family could have a playground; the neighbor agreed to sell it to him; the deed for 26 Sycamore is in his wife's name; the mortgage has both he and his wife's name; the deed for 24 Sycamore is in his name*
- many times that a letter is sent to him, it is addressed to 24 Sycamore, but that's just a lot, so the mail goes back to whomever sent it*
- every time the inspectors come over and find something, he complies; the last time someone came, they told me that I'd have to move the car; I couldn't park it on the empty lot; then, he went to talk to DSI and asked them to help him out because of the snow, he couldn't get it out; so, Linda said that he could leave the car there if the tabs were current*
- the next time, they said that they couldn't talk to me; I'd have to return the gold card in the mail; he said that he didn't have a gold card*
- when he bought that lot, it was a parking lot*
- Ms. Seeley came out; he told her that he'd been using that lot for 7 years; why does the city need to cut him off now; I followed what Linda said; the plates are current; since then, he blocked the driveway so no one can drive there*
- he is asking that all mail come to him at 26 Sycamore St W*
- right now, his job is not secure but in the future, he'd like to build a house on that lot*
- has owned 24 Sycamore for 4-5 years*

*Ms. Moermond:*

- the value of 24 Sycamore (lot) right now is \$5,600
- the value of 26 Sycamore is \$83,300 for the land and the house (market value)
- asked the Appellant if he repairs cars

*Mr. Akinmusire:*

- he works on his own cars
- before he used to have someone who lived with him who owned sports cars

*Ms. Moermond:*

- it's important for her to know what the Appellant wants to do with the vacant lot
- if he wants it for parking and an expanded lot, there's one path; if he wants something different, there's a different path
- if he's concerned about losing his job....???. she's concerned about the value of the lot
- right now, the combined value is about \$90,000

*Ms. Seeley:*

- she would like to see that curb cut gone on 24 Sycamore or permanent posts (bollards), not just a stick or two
- just discontinue parking there

*Mr. Akinmusire:*

- he'd like to keep the lots separate
- suggested using a metal fence across the front of the lot; he already has one and a neighbor will help him

*Ms. Moermond:*

- then, the only thing you can use it for is a play area for the kids
- you'll need some permanent bollards, etc. to keep people from parking there
- some professional barricade to that curb cut
- she likes the idea of a fence but staff thinks a fence may be considered an accessory structure
- perhaps a variance could be given for a fence
- if this can be solved, she'd be happy to delete this assessment
- will Lay this Over for 2 weeks to Jun 3, 2014 LH
- Mr. Akinmusire can come to the hearing or we can email him

*Ms. Seeley:*

- she will talk with the building official, Steve Ubl, about allowing a fence
- she will not be here in 2 weeks but Ed Smith will

**Laid Over to the Legislative Hearings due back on 6/3/2014**

- 8 RLH TA 14-295** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404E, Assessment No. 148306 at 557 WESTERN AVENUE NORTH.

**Sponsors:** Thao

*No show - approve the assessment.*

**Referred to the City Council due back on 7/9/2014**

- 9 RLH TA 14-296** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404E, Assessment No. 148306 at 624 WESTERN AVENUE

NORTH.

**Sponsors:** Thao

*No show - approve the assessment.*

**Referred to the City Council due back on 7/9/2014**

- 10 RLH TA 14-297** Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1404E, Assessment No. 148306 at 65 WINNIPEG AVENUE.

**Sponsors:** Brendmoen

*No show - approve the assessment.*

**Referred to the City Council due back on 7/9/2014**

### **Special Tax Assessments - ROLLS**

- 11 RLH AR 14-34** Ratifying Boarding and/or Securing services during February 2014. (File No. J1408B, Assessment No. 148107)

**Sponsors:** Lantry

**Referred to the City Council due back on 7/9/2014**

- 12 RLH AR 14-35** Ratifying Excessive Use of Inspection services billed December 30 to February 6, 2014. (File No. J1404E, Assessment No. 148306)

**Sponsors:** Lantry

**Referred to the City Council due back on 7/9/2014**

- 13 RLH AR 14-36** Ratifying Graffiti Removal services during January 24 to March 3, 2014. (File No. J1407P, Assessment No. 148406)

**Sponsors:** Lantry

**Referred to the City Council due back on 7/9/2014**

- 14 RLH AR 14-37** Ratifying Tree Removal services from January 2014. (File No. 1406T, Assessment No. 149006)

**Sponsors:** Lantry

**Referred to the City Council due back on 7/9/2014**

### **11:00 a.m. Hearings**

#### **Summary Abatement Orders**

- 15 [RLH SAO 14-12](#)** Appeal of Sara Lopez to a Vehicle Abatement Order at 56 MARYLAND AVENUE EAST.

**Sponsors:** Brendmoen

*Inspector gave extension until June 2, 2014.*

**Withdrawn**

## 1:30 p.m. Hearings

### Fire Certificates of Occupancy

- 16 [RLH FCO 14-61](#) Appeal of Brad Manor to a Fire Inspection Correction Notice at 304 EDMUND AVENUE.

**Sponsors:** Thao

*Grant until July 1, 2014 to bring the parking area into compliance, along with all the other Orders.*

*RE: 304 Edmund Avenue (Duplex)*

*Brad Manor, tax owner, appeared.*

*Ms. Moermond:*

- bid for removal of concrete footings and class 5 as needed; paved 3 inches 42 A mix = black top on a fresh surface = \$3,840*
- looking at the drawing, asked how Mr. Manor was going to distinguish the parking space from the rest of the yard*

*Mr. Manor:*

- the cars have been moved to places that they aren't supposed to be; they will be moved back when he finds out what he has to do*
- plans to put in 6 x 6 or 8 x 8 treated boards that are 8 feet long around the area*

*Ms. Moermond:*

- would prefer 4 cement barriers, bollards; a more permanent solution*

*Mr. Neis:*

- the 6 x 6s are green treated lumber/landscaping timber just different from railroad ties; these are similar; for proper installation on those, you drill 3 or 4 holes and anchor them into the ground, creating a pretty permanent solution; they work very well, typically; as long as they are anchored into the ground*

*Mr. Manor:*

- will put in sod or seed the area between the parking area and the building; will till first*
- would like 60 days, if possible*
- extermination is scheduled for Fri, May 23, 2014; (paperwork to inspector)*
- all gas equipment is out*
- they took out the carpet that was soiled with dog crap*
- plans to put patio pavers down*

*Ms. Moermond:*

- is comfortable going with 45 days*
- based on Inspector Neis' OK on this, she will accept the landscaping timber solution to separate the spaces from the yard*



- there's no asphalt/paved alley here so we're good  
- she will recommend that this appeal is granted based on the condition that he put down new class 5, install parking stops and put in fresh grass (seed or sod) by Jul 1, 2014

Mr. Neis:

- since there are no life-safety issues in the Orders, maybe it would be best to just put the deadline for all the Orders out to Jul 1, 2014

Ms. Moermond:

- will recommend a deadline for all the Orders to be Jul 1, 2014

**Referred to the City Council due back on 6/4/2014**

17     [RLH FCO 14-64](#)     Appeal of Judith M. Tilsen to a Fire Inspection Correction Notice at 1972 MINNEHAHA AVENUE EAST.

**Sponsors:**         Lantry

Grant until September 1, 2014 to bring the porch into compliance to have legal bedrooms.

RE: 1972 Minnehaha Avenue East (Duplex)

Judith M. Tilsen, owner, appeared.

Fire Inspector A. J. Neis:

- one of the concerns was with the historic nature of the house; the Appellant was concerned with the porch floor being too slippery to be an open porch and that is why it's an enclosed porch; as he explained in the previous hearing, this situation is not uncommon; homes of this style usually have that exact flooring, whether an open porch or an enclosed porch  
- has photos of examples of houses in Saint Paul where those types of porches are open with wood floors exposed to the elements  
- he and Ms. Tilsen viewed photos of houses on Laurel Avenue, etc., that had similar situations; porches that had been designed to be an open porch and then, modified  
- it's more common, actually, to find an open porch rather than a closed porch, even in this climate  
- the fact the porch was built sloping downwards suggests that this porch, at one point, was an open porch; enclosed at a later date

Ms. Moermond:

- her guess, based on the year of construction, is that the porch is probably original to the house as an open porch  
- this hasn't come up in past inspections only because different inspectors bring a different set of eyes to the situation; just because it hasn't been called out in the past doesn't mean that it shouldn't have been  
- she believes that Ms. Tilsen hasn't changed the layout of the bedrooms but that the bedroom of concern was not originally constructed as a bedroom - at some point, the layout was modified to convert a room into sleeping space  
- the enclosure makes it like exiting through another room (one door, then another to get out)

Ms. Tilsen:

- asked about Ms. Moermond's opinion on screening

Ms. Moermond:

- she has it and loves it but she can't get through the screens; it would be similar to going through a window; you'd need to break it
- this porch needs to be opened up and the floor re-surfaced in a way that doesn't slip

Mr. Neis:

- commented that carpeting on a porch floor sometimes gets more slippery, especially with a freeze-thaw situation; it retains moisture
- from his experience, staining is what people usually do to these porch floors because it's designed to slope downward away from the building
- could just take out the windows and leave the knee-wall intact; drainage would still occur

Ms. Tilsen:

- concerned that the knee-wall would prevent water/moisture from running off; she could, perhaps, drill holes in the side to help that along
- will need more time to come into compliance

Ms. Moermond:

- will recommend denying the appeal and granting until Sep 1, 2014 to bring the porch into compliance

**Referred to the City Council due back on 6/4/2014**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 18 [RLH VBR 14-35](#) Appeal of Robert Fluegel on behalf of Trikin Properties to a Vacant Building Registration Notice at 696 FIFTH STREET EAST.

**Sponsors:** Lantry

*Layover so inspector can inspect the property.*

**Laid Over to the Legislative Hearings due back on 5/27/2014**

- 19 [RLH VBR 14-42](#) Appeal of Peter Vang to a Vacant Building Registration Renewal Notice at 1023 FARRINGTON STREET.

**Sponsors:** Brendmoen

*Deny the appeal.*

*RE: 1023 Farrington Street (Single Family)*

*Peter Vang appeared on behalf of Muaj Hmoo Property LLC, owner.*

Mr. Vang:

- they recently changed to a corporation, Muaj Hmoo Property LLC from Houa Lee

*Inspector Matt Dornfeld, Vacant Buildings:*

*- Certificate of Occupancy Revocation dated Jun 4, 2012 by Fire Inspector Lisa Martin*

*- Vacant Building Inspector Mike Kalas opened a Category 2 Vacant Building on Jun 6, 2012 due to multiple code violations documented by Ms. Martin*

- Sep 25, 2013: Sale Review was approved to Paramount Investment Group LLC
- Jan 3, 2014: 2nd Sale Review was approved to Houa Lee
- property is currently vacant and being maintained
- VB fee is due Jun 6, 2014
- no permits on file as of yet
- there is a Code Compliance Inspection Report
- 2012-2013 VB fee was assessed Jul 31, 2012
- 2013-2014 VB fee was assessed Jun 20, 2013
- Appellant is here to appeal the next VB fee for 2014-2015

Mr. Vang:

- they purchased the property on Jan 6, 2014
- are in the process of pulling permits but he just got a letter from the city that it's vacant again and he totally is misunderstanding that; he thought they would have another 12 months to get permits pulled and work on it
- he would like to get an extension to pull permits and do the rehab; they have a lot to do
- asking for 6 months extension

Ms. Moermond:

- this building never stopped being a Registered Vacant Building
- you do have estimates but the project hasn't started
- it's been almost 6 months, why hasn't the project been started

Mr. Vang:

- they are in the process of rehabbing another property right now

Ms. Moermond:

- another 6 months is just too long to waive the VB fee; these are annual fees

Mr. Vang:

- in the next few days, he will pull the permits and start the project; just need time to get the building done
- I can't pull permits while it's a VB

Ms. Moermond:

- you can't pull permits because you need to pay the annual registered VB fee

Mr. Dornfeld:

- the building is declared a VB until it becomes code compliant, so, technically, it's in the VB Program until you bring it up to code (do all the rehab and it's approved by the inspectors)
- you will be able to pull a permit once the VB fee is paid
- you already paid the Sale Review fee

Ms. Moermond:

- the VB fee is an annual fee; the one from last year didn't get paid and so it was handled in the closing
- this VB fee covers the time period from Jun 6, 2014 - Jun 6, 2015
- there have been 2 previous VB fees paid by assessment
- you need to pay the VB fee before you can pull a permit

**Referred to the City Council due back on 6/4/2014**

**Sponsors:** Tolbert

*Waive the Vacant Building fee for 90 days and change to Category 1 Vacant Building.*

*RE: 1471 Grand Avenue (Townhouse)*

*Jason Ous and John Nelson, TCF Bank, owner, appeared.*

*Inspector Matt Dornfeld, Vacant Buildings:*

- referred to the VB Program by Fire Inspector Jay Bohan - Certificate of Occupancy Revocation on Apr 8, 2014*
- Mr. Dornfeld opened up a Category 2 VB on Apr 11, 2014*
- he stated in his notes: at the time of his inspection, the dwelling was open to contractors who were cleaning out the property and painting; there was a commercial dumpster in the rear yard that was quite full; exterior violations included minimum peeling paint on siding, one broken window on the west side of the house near the entry, also, a dangling piece of metal flashing on the 3rd story of the house; other than that, the house appeared to be in pretty solid condition; the yard was maintained; they had huge issues with the previous ownership as far as neighborhood complaints from parties to not maintaining the property, etc.*
- that owner is no longer involved (foreclosure)*
- cannot confirm if this house was used as student housing*

*Mr. Ous:*

- looking for a 90 day reprieve so they can pull the necessary permits and get the rehab done*
- they already have the electricians and plumbers ready to go; they'd like to get to work on the electrical and plumbing tomorrow*
- this house has 3 units and they need more time to get the Certificate of Occupancy re-instated*
- they already painted the interior; new kitchen cabinets; new bathrooms, etc.*

*Mr. Dornfeld:*

- he was just on the first floor; it's a pretty nice structure; just needs a little TLC*
- they are trying to avoid a team inspection*
- believes that Fire had trouble gaining access to the interior, which was part of why the C of O was Revoked*
- on the Revocation, Fire called out smoke detectors; fuel burning equipment safety test report*

*Ms. Moermond:*

- she wants Fire Inspectors to take a look at the house (Fire C of O inspection)*
- this is a less intensive inspection than the code compliance*
- will Lay this Over for 1 week to get that Fire inspection*

*Mr. Dornfeld:*

- will email Fire Inspector A. J. Neis right now*

*Ms. Moermond:*

- is comfortable waiving the VB fee for 90 days*
- Mr. Ous can give Mr. Neis a call at 651/266-8992*
- if Mr. Neis signs off, she will like to make it a Category 1 VB and waive the VB fee for 90 days*

**Referred to the City Council due back on 6/4/2014**

**SIMS AVENUE.**

**Sponsors:** Bostrom

*Grant the appeal. (Condemnation and Revocation/Order to Vacate can be lifted).*

*RE: 619 Sims Avenue (Single Family)*

*Philip Black, property manager, appeared.*

*Fire Inspector A. J. Neis:*

*- Fire Certificate of Occupancy Correction Notice by Fire Inspector Brian Tonnancour in regards to a complaint that was sent to their office on Mar 31, 2013 due to a water shut off*

*- Apr 2, 2014 - Mr. Tonnancour went to the property and issued Orders to Sau Cheung, San Francisco, CA to restore water to the property and that the building would be Condemned and Unfit for human habitation due to lack of basic facilities; a re-inspection would be conducted on or after Apr 14, 2014*

*- Apr 14, 2014 - the water was still shut off verified by St. Paul Regional Water Services; Inspector Tonnancour transferred to file to the Certificate of Occupancy Program; hence, Condemned the property for lack of basic facilities and sent a new letter to Sau Cheung on Apr 15, 2014*

*- there have complaints at this property over the last year*

*- Apr 30, 2013 - complaint of loud music, spring and mattresses on property;*

*Summary Abatement Order issued by Code Enforcement*

*- another complaint about people parking their van on the wrong side of the street; tenants were disruptive; out of control-screaming and yelling; lots of in and out activity*

*- another complaint of loud music, fighting, yelling outside the home*

*- another complaint in 2013 that there was no heat and the furnace was red tagged by Xcel; also mice*

*- Inspector Tonnancour issued Orders Oct 16, 2013 to Sau Cheung to have the furnace taken care of; repair fascia; missing door; missing drawers; numerous rips and tears in the flooring; kitchen counter; spongy subfloor; clean carpet; etc. (those repairs had been corrected)*

*- after that, a complaint of water shut off*

*Inspector Matt Dornfeld, Vacant Buildings:*

*- Inspector Tom Friel opened up a Category 2 Vacant Building on Apr 15, 2014 per the Condemnation from the Fire Inspection*

*- Inspector Friel noted that at the time of his inspection, tenants were moving out personal items; also noted peeling paint; falling eaves; defective/broken windows, storms and screens; basement has extensive mold per tenants but not documented by the inspector; old carpet, rubbish debris, etc. in the back and side yards; issued a Summary Abatement Order to have that removed*

*Ms. Moermond:*

*- in the Condemnation letter of Apr 15, 2014, why does the letter say that re-inspection will be made on or after May 14, 2014 (Neis' report said Apr 14, 2014)*

*- what does that mean, in this case, because there was an immediate referral to Vacant Buildings?*

*Mr. Neis:*

*- that comes standard in their letters because it goes to Vacant Buildings; Fire may at any point drive out to make sure the building is vacant and secured*

*Mr. Black:*

- he was told there was going to be another re-inspection and when he called that morning, he was told that he really should appeal it because she couldn't tell from what she had, why it's a VB besides, the water was only temporarily off
- she was told about this property only about 1 1/2 months ago; he knows it needs repairs, etc.
- the tenant hadn't paid rent for about 8 months and he keeps calling the city to complaint; he's moving out
- the water is turned back on

Mr. Neis:

- about that letter, Ms. Moermond, this was a rare occurrence, yet a common issue with this particular inspector; clearly, the letter does state that the deficiency list must be completed of the building vacated by May 14, 2014; the letter should have stated, the following deficiencies must be completed and the building must remain vacant; a re-inspection should be made (he has no good explanation for it)
- the initial letter sent to Sao Cheung on Apr 2, 2014 did say that a re-inspection would be made on or after Apr 14, 2014; the inspector Condemned the home in the Orders: unsafe and lacking basic facilities
- the owner did not turn the water back on until recently when it should have been turned back on Apr 14, 2014
- it should have been Condemned; the letter is unclear; he has no good explanation
- a Certificate of Occupancy Inspection is still required; the building was recently inspected in Jul 2013 by Inspector Wayne Spiering, who did not identify any code violations; it looks like the tenants trashed the place
- a full Certificate of Code Compliance was approved fewer than 2 years ago

Ms. Moermond:

- will recommend the appeal on the Vacant Building registration be granted and the Condemnation and Revocation/Order to Vacate lifted
- he has his Fire Certificate of Occupancy

Mr. Neis:

- asked Mr. Black to fill out a C of O application form

**Referred to the City Council due back on 6/4/2014**

- 22      [RLH VBR 14-45](#)      Appeal of Claudia Kieffer on behalf of Kayak Remodeling and Redevelopment, LLC to a Vacant Building Registration Renewal Notice at 1969 MARYLAND AVENUE EAST.

**Sponsors:**      Bostrom

*Grant the appeal.*

*RE: 1969 Maryland Avenue East (Single Family)*

*No one appeared.*

Ms. Moermond:

- this is a Category 1 Vacant Building
- an owner-occupant will be moving in after the closing scheduled for May 27, 2013, four days after the VB fee is due
- city will return their check for \$360 and keep the appeal fee of \$25
- will recommend granting this appeal
- they are out of the Vacant Building Program; no VB fee is owed

**Referred to the City Council due back on 6/4/2014**