

## **Moermond, Marcia (CI-StPaul)**

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**From:** Jarred D. Johnson <jarred@jarredjohnson.com>  
**Sent:** Monday, July 16, 2012 1:57 PM  
**To:** Moermond, Marcia (CI-StPaul)  
**Subject:** Re: Registered Vacant Building Status for 685 Orange Ave E

Ms Moermond,

A warm air permit was attempted to be pulled well in advance of July 1st. Now, because of a bureaucratic issue, I cannot pull any more permits, and its the city that is completely in the way of allowing the work to be finished. Here's my point:

Your city will assess the new vacant building fee to my Ramsey County property taxes, and consider it paid, so why not immediately consider it paid since that inevitable point will ultimately be reached.

Ether way, we are not moving anywhere. This is our home. We own it legally and fully. Because the cities own law specifies that deficiencies within the "Code Compliance Report" should be specified, the greater than 80% of items listed that are not specific to one particular, singular item, will be ignored regardless.

We have spent thousands to get this property "up to code" when it clearly already is up to code according to State Building Code law and all laws pertaining to Morris v Sax. The electrical 80-1 work is finished, and all items are complete per Morris v Sax (Especially since GFCI was explicitly addressed in the decision, and law, all other "80-1" work falls into the exact same legal definitions. I have already had my inspector Don Hedquist, a licensed inspector, go over all items in the report, and he already supplied you with his findings. The work that he recommended we do, we have done.

The State of Minnesota enjoys regulation of your cities code enforcement. We look only to the State Building Code to find what should, and should not be done.

Any decision to deny would be viewed as capricious & would be easily, if not automatically reversed in Court of Appeals. Unless your officials come out, final everything as it stands, I will simply get the Court of Appeals to throw your entire decision out and force your nanny state city to grant me a C of O.

**Electrical is done, A J Moore electric, completed the service upgrade. All interior electrical work as it stands now is "Existing" and is grandfathered in.**

**Heating is done, was done with a permit, and does not require a separate permit for Warm Air Vent because no work on the existing warm air ventilation was performed nor required, as it is an existing, working system and also enjoys the grandfather clause written into the State Building Code.**

**Plumbing is done, work performed by Adams on time Plumbing. Work was performed PRIOR to July 1st and a permit was attempted to be pulled, but the city itself has prevented this from happening because it claims a new vacant building fee is due. We paid Adams on time plumbing \$129 for the permits, and we expect if you truly want this house to be finaled, you will immediately allow that permit to be issued without fail.**

General building is nearly complete, as I am tearing down parts of the old "Addition" and completely restoring the 4 wall configuration to the bungalow.

I estimate this work to be finished in a matter of a week or less. We will be planting sod and installing a new deck on the back of the house.

I am not paying a second "Vacant Building Permit", as this building no longer meets the "Condemned" condition that originally placed this building into this highly questionable and suspectedly fraudulent, illegal permit and fee generating program. Electrical service is currently live in the building, which was the ONLY reason the vacant building program was involved in this property.

The inspector that came out to view the '80-1' work has exaggerated her findings. Work has been performed, and any illegal extension cords have been put away. If that is the ONLY reason she can't sign off of the inspection, that makes me lose immediate faith in her ability to be considered a non-biased building code inspector. Her bias to the city makes it impossible to gain her approval, especially since not one of the cities inspectors have been trained to recognize Morris vs. Sax as law and incorporate that law into their findings.

Regards,

Jarred D Johnson

On Jul 16, 2012, at 11:43 AM, Moermond, Marcia (CI-StPaul) wrote:

Good Afternoon,

Based on your comments, I followed up with the Building Official to learn the department's position on your statements. They indicated the following:

On June 12 an electrical permit was pulled and on the following day there was an inspection at which your wife was present. The inspector went through several parts of the house and found that none of the items on the code compliance inspection report had been addressed. Your wife and the inspector agreed to end the inspection and she indicated you had not made those repairs. The inspector left a list of of things needing to be addressed for a room off the kitchen for which no rough in inspection had occurred before the walls were closed, so the work you performed could not be viewed. Advice was also provided by the inspector on the use of extension cords in the kitched, especially vis-s-vis the air conditioner. No other follow up inspection has been requested by you to date.

With respect to the mechanical my understanding is that the furnace was installed without a permit - the work was reported to have been completed on February 3. Two permits were required, gas and mechanical. It looks like a permit was emailed on April 19 for the gas and it was re-sent on June 8. The reason that it was sent a second time was that there was a typing error in the address, but this did not affect the inspection process itself, you're your email correspondence with Jerry Hanson, Sr. Mechanical Inspector, confirms this point. A second permit required for the installation of a furnace is for the warm air ductwork. This permit has not been pulled, and I am told this is because you have not paid your vacant building fee.

A building permit was pulled on June 12, the same day as the electrical permit was pulled. No inspection has been requested by you or by a contractor on your behalf.

You have not applied for a plumbing permit.

Based on the above findings, I do not concur the work has been completed, or that the Department of Safety and Inspections has delayed your rehabilitation process. Therefore, I will not be amending my recommendation to the Council on this matter.

~Marcia Moermond

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**From:** Jarred Johnson [mailto:jarred@jarredjohnson.com]  
**Sent:** Wednesday, July 11, 2012 5:55 PM  
**To:** Moermond, Marcia (CI-StPaul)  
**Subject:** Re: Registered Vacant Building Status for 685 Orange Ave E

All work per the compliance report has been done. Your system is terribly slow and contractors have had repeated issues getting permits pulled. I would say that when city employees actually come out to inspect the work, they too will sign off and final everything. Their own schedules prevent them from coming out without two weeks notice. If councilman Bostrom would come over, he would be able to see the actual progress instead of trusting some faulty computer program. After all, if he really wanted to see with his own eyes what has been accomplished, he can just come over, anytime!

Respectfully.

Jarred D Johnson  
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On Jul 11, 2012, at 5:03 PM, "Moermond, Marcia (CI-StPaul)" <[marcia.moermond@ci.stpaul.mn.us](mailto:marcia.moermond@ci.stpaul.mn.us)> wrote:

Good Afternoon,

Today, the City Council followed up on your appeal of the code compliance inspection for your property, as their discussion on May 16 was laid over to today. In May, the Council stated explicitly that the layover was you opportunity to bring the house into compliance to avoid future enforcement action. Reviewing the building permit activity for your property, it is evident that there has been little progress addressing the items in the March 30, 2012 Code Compliance Inspection Report. Councilmember Bostrom commented today specifically on his disappointment with the lack of progress.

As you recall, my recommendation to the Council was and remains that your appeal be denied. They did not act on your appeal today, but rather Councilmember Bostrom asked the Council to lay the matter over one more week to allow you one additional chance to get your Code Compliance Certificate. You are advised to complete the work outline in the report prior to the Council meeting on July 18.

Marcia Moermond  
Legislative Hearing Officer

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