



City of Saint Paul

City Hall and Court
House
15 West Kellogg
Boulevard
Phone: 651-266-8560

Signature Copy

Resolution LH Vacant Building Registration: RLH VBR 24-70

File Number: RLH VBR 24-70

Appeal of Richard A. Bowen to a Vacant Building Registration Fee Warning Letter at 767 UNIVERSITY AVENUE WEST.

WHEREAS, in the matter of the Appeal of Richard A. Bowen to a Vacant Building Registration Fee Warning Letter at 767 UNIVERSITY AVENUE WEST, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council grant to March 21, 2025 for orders related to interior items and wires; grant to October 31, 2025 for exterior related items, except for repair or replacement of broken windows which has extension to June 1, 2025; grant the appeal to be released from the Vacant Building Program; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.

At a meeting of the City Council on 2/5/2025, this Resolution LH Vacant Building Registration was Passed.

Yea: 4 Councilmember Jalali, Councilmember Yang, Councilmember Jost, and Councilmember Johnson

Nay: 0

Absent: 3 Councilmember Noecker, Councilmember Kim, and Councilmember Bowie

**Vote Attested by
Council Secretary**

Shari Moore

Date 2/5/2025

Approved by the Mayor

Melvin Carter III

Date 2/10/2025

Clerk

Shari Moore

Date _____



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

NOV 12 2024

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

CITY CLERK

We need the following to process your appeal:

- ☒ \$25 filing fee (non-refundable) (payable to the City of Saint Paul)(if cash: receipt number _____)
 - ☒ Copy of the City-issued orders/letter being appealed
 - ☐ Attachments you may wish to include
 - ☒ This appeal form completed
 - ☐ Walk-In OR ☒ Mail-In
- for abatement orders only: Email OR ☐ Fax

HEARING DATE & TIME

(provided by Legislative Hearing Office)

Tuesday, November 19, 2024

Location of Hearing:

☐ Telephone: you will be called between

1:00 PM

☒ In person (Room 330 City Hall) at: [REDACTED]

(required for all Fire C of O revocation & vacate; Condemnation orders)

Address Being Appealed:

Number & Street: 767 University Ave W City: Saint Paul State: MN Zip: 55104

Appellant/Applicant: Richard A. Bowen Email: richardalenbowen@gmail.com

Phone Numbers: Business 651 222 4614 Residence _____ Cell 651 216 4614

Signature: Richard A. Bowen Date: 11-5-2024

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: _____

Phone Numbers: Business 651 222 4614 Residence _____ Cell 651 216 4614

What Is Being Appealed and Why?

Attachments Are Acceptable

- ☐ Vacate Order/Condemnation/
- ☐ Revocation of Fire C of O
- ☐ Summary/Vehicle Abatement
- ☐ Fire C of O Deficiency List/Correction
- ☐ Code Enforcement Correction Notice
- ☒ Vacant Building Registration
- ☐ Other (Fence Variance, Code Compliance, etc.)

my office has never been vacant; never received notice of any inspection

Revised 3/18/2021



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806Telephone: 651-266-8989
Facsimile: 651-266-1919
www.stpaul.gov/dsi

November 04, 2024

Richard Bowen
767 University Ave W
St Paul MN 55104

Customer #: 1910989

Bill #: 1904054

**VACANT BUILDING REGISTRATION FEE
WARNING LETTER**

The Saint Paul City Council has adopted legislation which requires owners of vacant buildings to pay an annual fee and submit a registration plan on the form(s) enclosed with this letter. The annual fee is **\$2,459.00**. The purpose of this fee is to partially reimburse the City for administrative costs for registering and processing the Vacant Building Owner Registration forms and for the cost of monitoring these properties for compliance with Saint Paul Legislative Codes.

The fee for the vacant building located at 767 UNIVERSITY AVE W is now past due. You have fifteen (15) days from the date of this letter to pay this bill before this fee is sent to assessment, to be collected with your property taxes.

DO NOT MAIL CASH

Saint Paul Legislative Code, Chapter 43, requires this fee be paid no later than thirty (30) days after the building becomes vacant, and if not paid, the owner shall be subject to collections and prosecution as prescribed in the Legislative Code. Also, if at any time the registration fee is unpaid and owing, building permits will be denied for this building.

The full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.

The owner(s) still will be subject to a criminal Summons and Complaint for failure to pay this vacant building registration fee. This citation will necessitate a court appearance in Ramsey County District Court and the owner(s) will be subject to penalties provided for by law. The enclosed registration form must accompany the fee payment.

You may pay this registration fee online by going to **online.stpaul.gov** and selecting the 'Make a Payment' option. You will need your customer number and bill number to process a payment - both can be found on this letter.

If you wish to pay in person, you may do so from 8:00am to 4:00pm Monday through Friday at:

DEPARTMENT OF SAFETY AND INSPECTIONS
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806

All category 2 and category 3 vacant buildings must be winterized with gas and water services shut off or, alternately, an excess flow gas valve must be installed in the dwelling, within sixty (60) days of the date of this notice.

WRITTEN PERMISSION FROM THE CITY OF SAINT PAUL IS REQUIRED BEFORE A CATEGORY 2 OR CATEGORY 3 VACANT BUILDING CAN BE OCCUPIED OR SOLD.

Category 2: Requirements include: 1. register/re- register the building, 2. pay outstanding fee(s), 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use.

Category 3: All requirements listed for Category 2 vacant buildings, AND obtain a **Certificate of Occupancy OR Certificate of Code Compliance** prior to the sale of the building.

If the use of this building meets the definition of a nonconforming use by the Zoning Code, then the use will lose its nonconforming status 365 days from the date the building was declared vacant.

If you have questions about this registration fee or other vacant building requirements, please contact the Enforcement Officer, Daniel Hesse, at 651- 252- 8293.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

You may file an appeal to this fee or registration requirements, **unless the fee was previously appealed**, by contacting the City Clerk's Office by calling (651)266- 8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

Steve Magner
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information
Vacant Building Registration Form

SM: dh
vb_warning_letter 2/15

Also Sent To:
Andrew J Dawkins/Richard Bowen 767 University Ave W St Paul MN 55104- 4806



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806Telephone: 651-266-8989
Facsimile: 651-266-1919
www.stpaul.gov/dsi

November 04, 2024

Andrew J Dawkins/Richard Bowen
767 University Ave W
St Paul MN 55104-4806

Customer #: 1844257

Bill #: 1904054

**VACANT BUILDING REGISTRATION FEE
WARNING LETTER**

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375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806

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Steve Magner
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information
Vacant Building Registration Form

SM: dh
vb_warning_letter 2/15

Also Sent To:
Richard Bowen 767 University Ave W St Paul MN 55104

Date: October 02, 2024
File #: 24 - 082228
Folder Name: 767 UNIVERSITY AVE W
PIN: 352923130225

HP District:
Property Name:
Survey Info:



Date: October 02, 2024
File #: 24 - 082228
Folder Name: 767 UNIVERSITY AVE W
PIN: 352923130225

HP District:
Property Name:
Survey Info:



Date: October 02, 2024
File #: 24 - 082228
Folder Name: 767 UNIVERSITY AVE W
PIN: 352923130225

HP District:
Property Name:
Survey Info:



Date: October 02, 2024
File #: 24 - 082228
Folder Name: 767 UNIVERSITY AVE W
PIN: 352923130225

HP District:
Property Name:
Survey Info:



Date: October 02, 2024
File #: 24 - 082228
Folder Name: 767 UNIVERSITY AVE W
PIN: 352923130225

HP District:
Property Name:
Survey Info:



Date: October 02, 2024
File #: 24 - 082228
Folder Name: 767 UNIVERSITY AVE W
PIN: 352923130225

HP District:
Property Name:
Survey Info:



Date: October 02, 2024
File #: 24 - 082228
Folder Name: 767 UNIVERSITY AVE W
PIN: 352923130225

HP District:
Property Name:
Survey Info:





CITY OF SAINT PAUL
OFFICE OF THE CITY COUNCIL
310 CITY HALL
15 WEST KELLOGG BOULEVARD
SAINT PAUL, MN 55102-1615
Marcia Moermond, Legislative Hearing Officer
EMAIL: legislativehearings@ci.stpaul.mn.us
PHONE: (651) 266-8585 FAX: (651) 266-8574

November 22, 2024

Richard Bowen
Andrew Dawkins
767 University Ave W.
St. Paul, MN 55104

VIA EMAIL: richardalanbowen@gmail.com

Re: Appeal for the property at 767 University Ave West

Dear Richard Bowen & Andrew Dawkins:

This is to confirm that at the Legislative Hearing on November 19, 2024, Legislative Hearing Officer Marcia Moermond continued the matter to Legislative Hearing on **Tuesday, December 17, 2024 at 1 pm in room 330 City Hall/Court House (or via phone between 1:00 and 3:00 p.m.)** for discussion of proposed deadlines based on your Full Fire Certificate of Occupancy inspection (to occur no later than December 11).

You should work with Inspector Migdal directly to coordinate a time for the inspection prior to December 11. Please submit a work plan to address the items in that report, or bring with to the hearing.

If you have any questions, please contact our office at 651-266-8585.

Sincerely,

/s/

Joanna Zimny
Legislative Hearing Executive Assistant

c: Vacant Building Staff
Fire Supervisors
Sebastian Migdal – Department of Safety & Inspections, Fire Safety Inspector.



December 10, 2024

RICHARD BOWEN
767 UNIVERSITY AVE W
ST PAUL MN 55104

FIRE INSPECTION CORRECTION NOTICE

RE: 767 UNIVERSITY AVE W
Ref. #113607

Dear Property Representative:

Your building was inspected on December 10, 2024 for the renewal of your Fire Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected prior to the re-inspection date. **A re-inspection will be made in accordance with deadlines as determined in Legislative Appeal.**

Failure to comply may result in a criminal citation or the revocation of the Fire Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.

DEFICIENCY LIST

1. 2ND FLOOR - MSFC 604.5 - Discontinue use of extension cords used in lieu of permanent wiring. - *Discontinue use of 3-way ungrounded extension cords.*
2. 2ND FLOOR - MSFC 604.5 - Remove electrical cords that extend through walls, ceiling, floors, under doors, or floors coverings, or are subjected to environmental or physical damage. - *Remove electrical cord going from office through door and into another office.*

3. BASEMENT - ELECTRICAL - NEC 110.26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels. - *Provide path to electrical panel and clearance in front.*
4. BASEMENT - MECHANICAL - MSFC 603.5.3 - Provide clearance around all mechanical equipment.
5. BASEMENT - STAIRWAY - SPLC 34.10 (3), 34.34(2) - Repair or replace the damaged handrail in an approved manner. - *Secure the loose handrail on basement stairway, middle support bracket is disconnected.*
6. BASEMENT - SPLC 34.08 (4), 34.32 (2) - (4) Insect and rodent infestations. It shall be the responsibility of the owner to control and/or eliminate any infestation of insects, rodents or other pests in all exterior areas and accessory structures on the premises. - *Excessive rodent droppings observed on water heater and in basement.*
7. BOTH GARAGES - THROUGHOUT - SPLC 34.19 - Provide access to the inspector to all areas of the building. - *Unable to access at the time of inspection. Provide access during the re-inspection.*
8. EXTERIOR - BOTH GARAGES - SPLC 34.09 (1)(2)(a), 34.33 (1)(b) - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint. - *Scrape and paint.*
9. EXTERIOR - ELECTRICAL - MSFC 604.1 - Electrical Hazards - *Remove branches that are growing into the main electrical drop to the building. Remove vine where growing into exterior electrical conduit through an open cover.*
10. EXTERIOR - FRONT ENTRY - SPLC 34.09 (3), 34.33(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. Every outside stair, porch and deck shall be constructed safely and shall be capable of supporting imposed loads as determined in the building code and shall be kept in a professional state of maintenance and repair with proper anchorage. This work may require a permit(s). Call DSI at (651) 266-8989. - *Repair deteriorated concrete on front entry stairway to provide even and level surface at each step.*
11. EXTERIOR - THROUGHOUT - SPLC 34.09 (1)(2)(a), 34.33 (1)(b) - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint. - *Scrape and paint throughout the building.*

12. EXTERIOR - THROUGHOUT - SPLC 34.09 (4) a, 34.33 (3) a - Repair and maintain the window glass. Windows shall be fully supplied with window panes which are without open cracks or holes. - *Repair or replace the broken glass on the windows. Repair damaged window frames as necessary.*
13. MAIN LEVEL - IN A VISIBLE LOCATION - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations. - *Provide minimum 2A10BC fire extinguishers spaced not more than 75 feet travel distance from any point in the building to an extinguisher. They must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations.*
14. MAIN LEVEL - KITCHEN - MPC 312.0, MPC 313.0 - Provide approved support for all plumbing piping. - *Correctly install the unsupported PEX piping going from 1st floor kitchen sink through floor to the 2nd floor bathroom.*
15. THROUGHOUT - BREAK ROOM/KITCHEN AND 2ND FLOOR - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner. - *Repair is damaged from a previous leak from the upper level. Scrape and paint peeling areas of ceiling on upper level.*
16. THROUGHOUT - MSFC 315.3 - Provide and maintain orderly storage of materials. - *Assure that there is an accessible path of at least 36" throughout the basement and across 1st floor office area.*

Saint Paul Legislative Code authorizes this inspection and collection of inspection fees. For forms, fee schedule, inspection handouts, or information on some of the violations contained in this report, please visit our web page at: <http://www.stpaul.gov/cofo>

You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8585) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: mitchell.imbertson@ci.stpaul.mn.us or call me at 651-266-8986 between 7:30 a.m. - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Mitchell Imbertson
Fire Safety Inspector

Reference Number 113607



CITY OF SAINT PAUL
OFFICE OF THE CITY COUNCIL
310 CITY HALL
15 WEST KELLOGG BOULEVARD
SAINT PAUL, MN 55102-1615
Marcia Moermond, Legislative Hearing Officer
EMAIL: legislativehearings@ci.stpaul.mn.us
PHONE: (651) 266-8585 FAX: (651) 266-8574

December 20, 2024

Richard Bowen
Andrew Dawkins
767 University Ave W.
St. Paul, MN 55104

VIA EMAIL: richardalanbowen@gmail.com

Re: Appeal for the property at 767 University Ave West

Dear Richard Bowen & Andrew Dawkins:

This is to confirm that at the Legislative Hearing on December 17, 2024, Legislative Hearing Officer Marcia Moermond continued the matter to Legislative Hearing on **Tuesday, January 14, 2025 at 1 pm in room 330 City Hall/Court House (or via phone between 1:00 and 3:00 p.m.)** for discussion of proposed deadlines based on your Full Fire Certificate of Occupancy inspection.

I have enclosed copy of your December 10 Fire Inspection orders.

If you have any questions, please contact our office at 651-266-8585.

Sincerely,

/s/

Joanna Zimny
Legislative Hearing Executive Assistant

Encl: Fire Certificate of Occupancy orders 12-10-24

c: Vacant Building Staff
Fire Supervisors
Sebastian Migdal – Department of Safety & Inspections, Fire Safety Inspector.



CITY OF SAINT PAUL
OFFICE OF THE CITY COUNCIL
310 CITY HALL
15 WEST KELLOGG BOULEVARD
SAINT PAUL, MN 55102-1615
Marcia Moermond, Legislative Hearing Officer
EMAIL: legislativehearings@ci.stpaul.mn.us
PHONE: (651) 266-8585 FAX: (651) 266-8574

January 17, 2025

Richard Bowen
Andrew Dawkins
767 University Ave W.
St. Paul, MN 55104

VIA EMAIL: richardalanbowen@gmail.com

Re: Appeal for the property at 767 University Ave West

Dear Richard Bowen & Andrew Dawkins:

This is to confirm that at the Legislative Hearing on January 14, 2025, Legislative Hearing Officer Marcia Moermond recommended that the City Council grant your appeal to be released from the Vacant Building Program and grant:

1. to **March 21, 2025** for orders related to interior items and wires;
2. to **October 31, 2025** for exterior related items;
 - a. **except for repair or replacement of broken windows** which has extension to June 1, 2025

This matter will go before the City Council at Public Hearing on **Wednesday, February 5, 2025 at 3:30 pm. in room 300 City Hall**. If you are contesting Ms. Moermond's recommendation you may:

1. appear in person (*please arrive before 3:30 p.m. and check in with staff outside Council chambers when you arrive*); or
2. **Should you wish testify to Council directly by phone, you must register to do so online by no later than noon on Tuesday, February 4, 2025 here:**
<https://www.stpaul.gov/departments/city-council/city-council-public-hearing-live-testimony>.

If you don't wish to contest then **no further action is needed** and the Council will proceed with Ms. Moermond's recommendation above without discussion. If you have any questions, please contact our office at 651-266-8585.

Sincerely,

/s/
Joanna Zimny
Legislative Hearing Executive Assistant



c: Vacant Building Staff
Fire Supervisors
Sebastian Migdal – Department of Safety & Inspections, Fire Safety Inspector.

From: [Joanna Zimny](#)
To: ["richardalanbowen@gmail.com"](mailto:richardalanbowen@gmail.com)
Cc: [Mai Vang](#); [Daniel Hesse](#); [James Hoffman](#); [Matt Dornfeld](#); [Rick Gavin](#); [Robert Humphrey](#); [Adrian Neis](#); [Der Vue](#); [Leanna Shaff](#); [Mitchell Imbertson](#)
Subject: RE: 767 University Ave W.Bowen Dawkins Ltr.1-17-25
Date: Thursday, March 20, 2025 3:43:00 PM
Attachments: [image001.png](#)

Mr. Bowen,

First, on behalf of Ms. Moermond we're sorry to hear you have been ill and hope you are on your way to recovery soon.

I spoke with her about the situation and she isn't willing to extend the first deadline; however missing that first deadline will trigger the Vacant Building registration again which can be appealed (as it is new orders as you were released previously) and you and/or Mr. Dawkins can discuss options and deadlines then.

I hope this helps, let me know if you have questions,

Joanna



Joanna Zimny

Legislative Hearing Executive Assistant
Legislative Hearing Office
Pronouns: she/her/hers
Saint Paul City Hall
Suite 310
15 W. Kellogg Blvd.
Saint Paul, MN 55102
P: 651-266-8585

joanna.zimny@ci.stpaul.mn.us

www.StPaul.gov



Please consider the environment before printing this email

From: Joanna Zimny
Sent: Thursday, March 20, 2025 8:42 AM
To: richardalanbowen@gmail.com
Cc: Mai Vang <mai.vang@ci.stpaul.mn.us>
Subject: RE: 767 University Ave W.Bowen Dawkins Ltr.1-17-25

Mr. Bowen,

I will speak to the Legislative Hearing officer about this, however what is your actual ask? How much

longer are you requesting? She is unlikely to just pick an arbitrary date.

Thanks,
Joanna



Joanna Zimny

Legislative Hearing Executive Assistant
Legislative Hearing Office
Pronouns: she/her/hers
Saint Paul City Hall
Suite 310
15 W. Kellogg Blvd.
Saint Paul, MN 55102
P: 651-266-8585

joanna.zimny@ci.stpaul.mn.us

www.StPaul.gov



Please consider the environment before printing this email

From: Joanna Zimny

Sent: Friday, January 17, 2025 10:26 AM

To: richardalanbowen@gmail.com

Cc: Sebastian Migdal <sebastian.migdal@ci.stpaul.mn.us>; Daniel Hesse <Daniel.Hesse@ci.stpaul.mn.us>; James Hoffman <james.hoffman@ci.stpaul.mn.us>; Matt Dornfeld <matt.dornfeld@ci.stpaul.mn.us>; Rick Gavin <rick.gavin@ci.stpaul.mn.us>; Robert Humphrey <robert.humphrey@ci.stpaul.mn.us>; Adrian Neis <adrian.neis@ci.stpaul.mn.us>; Der Vue <Der.Vue@ci.stpaul.mn.us>; Leanna Shaff <leanna.shaff@ci.stpaul.mn.us>; Mitchell Imbertson <mitchell.imbertson@ci.stpaul.mn.us>

Subject: 767 University Ave W.Bowen Dawkins Ltr.1-17-25

Attached please find a letter regarding the above matter.

Thank you,
Joanna



Joanna Zimny

Legislative Hearing Executive Assistant
Legislative Hearing Office
Pronouns: she/her/hers
Saint Paul City Hall
Suite 310
15 W. Kellogg Blvd.
Saint Paul, MN 55102
P: 651-266-8585

joanna.zimny@ci.stpaul.mn.us

www.StPaul.gov

 Please consider the environment before printing this email



City of Saint Paul

City Hall and Court House
15 West Kellogg
Boulevard
Phone: 651-266-8560

Master

File Number: RLH VBR 24-70

File ID: RLH VBR 24-70

Type: Resolution LH Vacant
Building Registration

Status: Passed

Version: 2

**Contact
Number:**

In Control: City Council

File Created: 11/12/2024

File Name: 767 W. University Ave.

Final Action: 02/05/2025

Title: Appeal of Richard A. Bowen to a Vacant Building Registration Fee Warning Letter
at 767 UNIVERSITY AVENUE WEST.

Notes: Mail-in. LH on 11-19-24 at 1:00 pm in Room 330.
Richard Bowen - 651-214-4614
Andy Dawkins: 651-327-9924

Agenda Date: 02/05/2025

Agenda Number: 53

Sponsors: Bowie

Enactment Date:

Attachments: 767 University Ave W.appeal.11-12-24.pdf, 767
University Ave W.photos 10-2-24.pdf, 767 University
Ave W.Bowen Dawkins Ltr.11-22-24, 767 University
Ave W.Fire C of O orders.12-10-24, 767 University
Ave W.Bowen Dawkins Ltr.12-20-24, 767 University
Ave W.Bowen Dawkins Ltr.1-17-25, 767 University
Ave W.Bowen Zimny email chain.3-20-25

Financials Included?:

Contact Name:

Hearing Date:

Entered by: Racquel.Naylor@ci.stpaul.mn.us

Ord Effective Date:

Related Files: RLH TA 14-7; RLH TA 16-172; RLH TA 23-167

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	11/19/2024	Laid Over	Legislative Hearings	12/17/2024		
Action Text: Laid Over to the Legislative Hearings due back on 12/17/2024							
Notes: Layover to LH December 17, 2024 at 1 pm for discussion of proposed deadlines by PO, based on full Fire C of O inspection (to occur no later than December 11). Richard Alan Bowen, co-owner, appeared Andrew Dawkins, co-owner, appeared [Moermond gives background of appeals process] Staff report by Supervisor Brian Schmidt: July 24, 2024 Sebastian Migdal had his first inspection, no one was there to meet. Spoke on August 2 to Responsible Party who has been sick. Will follow up with							

Responsible Party the week of August 12. September 3 left a Voicemail with property owner Rick. New appointment letter sent, then no one present October 1 after multiple attempts to access. Building appeared to be vacant, transferred to Vacant Building. He uncertified it since it appeared to be vacant and then exterior sanitation and walls. Basically, a hard time getting in to do the full Certificate of Occupancy inspection.

Staff report by Supervisor Matt Dornfeld: we opened a Category 2 Vacant Building on October 2, 2024 per that referral from Fire Inspection. At the time of inspection, Inspector Hesse noted it appeared vacant and was secured and maintained. He noted to see Fire Inspector list for photo violations.

Moermond: this was opened as a Category 2 Vacant Building based on revocation or conditions observed?

Dornfeld: both. A revocation with multiple code violations and Mr. Hesse has some photos of severe peeling paint, a missing second story window, some siding issues. That's why he went with Category 2.

Bowen: I'd been in communication with Sebastian. The original date to inspect it had just been burglarized, the place was trashed.

Moermond: when was this?

Bowen: several weeks before I received the letter saying it was vacant. He said well, he wouldn't come due to the burglary and the place being trashed and stole a bunch of things. He was going to call me and set up another date. I never did get another call. All this him saying it looked vacant, because we've communicated for several years for inspections. I really wish he was here. I can't believe he said it appeared vacant. We've had a good relationship. I'm surprised to hear all of that.

Dawkins: I was out of town the end of September for 2 weeks. I still work there, I'm there 3 to 4 days a week. It was addressed to me being set for a date that had already passed. I assumed Rick got a letter and had taken care of it. Then I talked to him and he said no.

Bowen: we've officed there since the 1980's. I meet with clients there. It has never been vacant. I called Greg in the notice and the number. He said there was a meeting on a certain date and you weren't there, so we deemed it vacant. I never got notice of this meeting on a date and time.

Dawkins: I think when the letter was addressed to Andrew Dawkins and didn't have Rick Bowen's name on it, I just assumed he got a separate letter, too. The date had already passed so I thought he took care of it.

Bowen: usually anything from the City or County its addressed to both of us. If my name is on it I open it up. I got no notice to be somewhere at a particular time or place for an inspection. I didn't get notice. I told Greg [Weiner] that and he told me to appeal. Now here we are.

Moermond: I'm curious about the letters you send out, and to whom they were addressed. Particularly who the Certificate of Occupancy Responsible Party is as opposed to the owner on Ramsey County tax records. Are they the same? Different?

Schmidt: to the address at 767 University c/o Andrew Dawkins back to 2017.

Shaff: and the owner of record with Ramsey County.

Moermond: I also see the Vacant Building letter going to Mr. Bowen and one jointly to Mr. Bowen and Mr. Dawkins. I mention that because Mr. Dornfeld, you pull from Ramsey County records, right? Not Fire Certificate of Occupancy?

Dornfeld: that is correct, our database does it.

Moermond: for some reason the City downloaded just your information, which is a programming quirk. The Vacant Building letters go straight to Ramsey County because it could result in an assessment on your taxes so the City needs to legally inform the tax owner. So, notice is squared away. If you don't want to be the Fire Certificate of Occupancy Responsible Party, we need to change that.

Dawkins: why does he call you all the time?

Bowen: yes, all the time.

Moermond: formally that's what is on the record. We can get you that form. Let's talk a bit about the interior. You're fixing things up. I'd like to get an inspector inside, just because its trashed doesn't mean it can't be occupied. We can get orders issued, my main goal is to have a concrete list of things to be done and figure out a plan and deadlines to get you out of the Vacant Building program.

Bowen: the understanding Sebastian and I had; we've talked many times. He knows we have it for sale at this time due to rising taxes and we're the only ones using it now. Used to be 5 lawyers. He knew we had it for sale and he even delayed coming to inspect. We've always been there for inspections. He calls me and tells me.

Moermond: and I need to hit reset on this. Officially the letters went to Mr. Dawkins setting the appointments. He was out of town for that time. Some miscommunication. You're selling the building, does that mean you don't want to fix it now because you have it listed for sale?

Bowen: Sebastian and I talked about it. If there were things that had to be done, we would do them.

Moermond: and I need you to set aside your conversations with Mr. Migdal. We're here now, we're moving forward. What does that look like, where do you want to go with it?

Bowen: yeah, I haven't opposed being inspected at all. Never have. But he was going to call me and work out a date.

Moermond: and I think the miscommunication was he did sent a letter to the Certificate of Occupancy Responsible Party and it wasn't you. That's the problem.

Shaff: there are a couple instances where Mr. Migdal did note that he left a Voicemail for the property owner Rick, and talked to him. Left a Voicemail at least.

Moermond: hitting reset. We get an inspector in, that gives the opportunity to create a list of deficiencies to be addressed. This is a commercial building; it is a house used for commercial purposes. Inspected as such. Let's get that inspection, we don't have deadlines by when things need to be done. We could definitely figure out what makes sense. We need to have orders or it needs to be in the Vacant Building program, and everyone prefers for it to have orders I think.

Dawkins: once it is inspected with orders, it is clear it isn't a Vacant Building anymore?

Moermond: that's where I'd like to go. Meet the deadlines we establish you are out of the Vacant Building program. But we need fresh orders to do that.

1	Legislative Hearings	12/17/2024	Laid Over	Legislative Hearings	01/14/2025
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Action Text: Laid Over to the Legislative Hearings due back on 1/14/2025

Notes: Layover to LH January 14, 2025 at 1 pm (due to LH schedule 12/17).

1	Legislative Hearings	01/14/2025	Referred	City Council	02/05/2025
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Action Text: Referred to the City Council due back on 2/5/2025

Notes: Grant to March 21, 2025 for orders related to interior items and wires; grant to October 31, 2025 for exterior related items, except for repair or replacement of broken windows which has extension to June 1, 2025; grant the appeal to be released from the Vacant Building Program.

Richard Alan Bowen, co-owner , appeared via phone

Andrew Dawkins, co-owner, appeared via phone

Moermond: the last set of orders was December 10th, so you've had a chance to review them for a bit. I'm at the point of trying to figure out what makes sense deadline-wise and where you're at with your decisions about the building.

Bowen: as far as deadlines, I have some basic procedures at Mayo in Rochester for a couple of weeks. We've already started some of the items. I think I misplaced the order. Can I get another copy of that?

Moermond: you don't have that anymore?

Bowen: I have it somewhere. I misplaced it. First was sent via email; second was US mail.

Moermond: I believe it was sent both ways. You got a follow up letter by email with the orders and were handed a set when you were here. We'll email it again. Sixteen items on it.

Bowen: we didn't receive anything at the last hearing we showed up for. I was emailed later.

Moermond: the orders were attached to that email. We have a number of interior and exterior items. I spoke with Mr. Imbertson about exterior and weather considerations. I'm thinking the interior items are all similarly situated as far as safety. Number 1, extension cords, are those removed?

Bowen: yes.

Moermond: electrical cord going from office through door into another office?

Bowen: yes.

Moermond: basement has several orders; clearance path to electrical panel, 36" of clearance.

Bowen: I have to check on that. Our maintenance guy was going to do that but I haven't verified it.

Moermond: similar order about mechanical equipment.

Bowen: same situation.

Moermond: handrail to basement is loose, and disconnected bracket in middle.

Bowen: everything in the basement I need to verify.

Moermond: rodent droppings, have you hired an exterminator?

Bowen: we haven't. I needed to go look at the top of the water heater where they said they saw it. I've been there for a long time and we haven't had any issues ever. There's no food in there.

Moermond: well, the photo of the water heater is pretty gross. I think there's a problem.

Bowen: we'll take care of it.

Moermond: garage issues, no access. I did want to touch on the electrical hazard on the outside, where it says "Remove branches that are growing into the main electrical drop to the building. Remove vine where growing into exterior electrical conduit through an open cover." That doesn't sound safe to me.

Imbertson: two separate items under the same Code. The first part is the branches that are starting to grow into the electrical drop from pole to house. The second part was an electrical line going to a garage and there's a photo of this (page 41).

Bowen: can we get copies of these photos?

Imbertson: 41 and 44. If the vine had not caused any other damage yet it may be a quick fix but there's a small cover missing where service goes into the side of the building and the vine was going straight down the opening alongside the water.

Moermond: is the box spring against the garage removed?

Bowen: yes. We also have someone to take care of the electrical problems if Xcel won't. The ceiling in the upstairs western office is scraped and repainted as well.

Moermond: "Correctly install the unsupported PEX piping going from 1st floor kitchen sink through floor to the 2nd floor bathroom." Mr. Imbertson, what are you looking for there?

Imbertson: it looked like the line wasn't run correctly to begin with. It looked like maybe it was meant as

a temporary repair, but there was a line that appeared to be the original supply line to the second floor that wasn't being used and a new line run with PEX piping stubbed off of the kitchen sink. It was coming out the side of the cabinet, unsupported, up through the middle of the room. We'd need that rerun in a professional manner.

Moermond: the only other thing I am noticing, which is more a Vacant Building issue, is these windows where they've been broken and boarded and insulation stuffed in them. They're secured by other than a normal means, which we do need to be time-sensitive on. It looks like you also have a decent sized hole in one of the windows to the basement.

Bowen: it is routinely broken into.

Moermond: it would be a little person in that sized hole.

Bowen: we've caught a little person once before.

Moermond: an 8" x 10" person?

Bowen: I'm just saying they're routinely broken into. I did have a camera in the trees to tape some of the burglaries but they stole the camera too.

Dornfeld: I think we'd all prefer if windows were in tact and operational per code. A board can suffice for a period of time while we're working to replace windows. Boards being a permanent solution is not code, Ms. Moermond.

Moermond: secured by other than normal means is problematic. You do need to keep the building secure and I understand you are struggling but you need to figure it out. No question it is a nuisance condition. Given how infrequently the office is used and the interior and exterior conditions, there's definitely excessive clutter in some spaces. That all comes together in looking more like a candidate for the Vacant Building program than not. If you are working there and address these things I can see putting some extensions in. A couple of months for the interior violations for example.

Bowen: I'd like to find out what Mayo will be saying about my future needing surgery, what or when. I'd like that knowledge which I don't have until these procedures are done. I can update you on that.

Moermond: I want to give grace here, but maybe you should be hiring someone. We are at a place here where these are some safety concerns that are significant. I see branches and electrical and think it needs to be dealt with sooner than later. The issues in the basement you mentioned someone doing that for you. I want to give you time to be able to get someone hired or do it yourself and give you grace; we haven't talked yet about the significant exterior violations. I know you're thinking of selling, I don't know if you have someone who will be purchasing. March 21 deadline on interior and wires.

Bowen: I'll put it in my calendar.

Moermond: what about the exterior? Sale and doing that exterior work?

Bowen: we've had two purchase agreements and each time the purchaser was going to tear it down and build apartments but they didn't come up with the financing they thought they had so they fell through. Currently I need to speak with our realtor again.

Moermond: I can recommend the Council give an extension through the construction season, but if the work isn't done by then what is the implication? If you fail to meet them you are again with your revoked certificate and in the Vacant Building program.

Bowen: I don't understand why it was sent to Vacant Buildings if it was never vacated. We've officed there since the 1980's. We still do. I said earlier that it is used infrequently, but that isn't the case either. The fact is, yeah there are some conditions that we need to comply with for the Fire code, but to say the building has been vacant is erroneous. I was told we were a Vacant Building because I wasn't there when the inspector came, but then agreed at the last hearing I was never notified.

Moermond: that wasn't agreed to. The letters went to Mr. Dawkins rather than you because he was listed as the Fire Certificate of Occupancy Responsible Party.

Dawkins: I was out of town.

Moermond: I understand but Mr. Bowen saying no notification was sent is in fact, itself, erroneous.

Bowen: no notification was sent to ME.

Moermond: I understand the appointment letters. If it is revoked and looks to be vacant by staff, which is why we are here today. Seldom used is what it looks like from photos of the interior. Safety concerns in terms of clutter at the very least. Then the other violations as discussed. I don't mind recommending this isn't in the Vacant Building program, what I want to see are these things addressed. On its face, it isn't great and without a Certificate of Occupancy you can't occupy, period. Mr. Imbertson, anything to add?

Imbertson: I would agree from the inspection it certainly didn't look to be occupied regularly, but not necessarily in a position to judge how frequently the property is visited. Either way, we'd require a Certificate of Occupancy to be maintained if there is ANY use of the property, so at that point it is somewhat irrelevant whether it is used daily or infrequently.

Moermond: I'm going to say for interior items and wires on the exterior March 21, 2025 as a deadline. For exterior items I'm going to give to October 31, 2025 with the exception of the broken windows. It is a visual nuisance and a safety matter. I'd like to split that and say that work can be done June 1, 2025. That's the window frames, window glass itself. I'll recommend you're out of the Vacant Building program, unless it needs to be revoked, it is reinstated pending you meeting these deadlines.

2	City Council	02/05/2025	Adopted
	Action Text:	Adopted	
2	Mayor's Office	02/10/2025	Signed
	Action Text:	Signed	

Pass

Text of Legislative File RLH VBR 24-70

Appeal of Richard A. Bowen to a Vacant Building Registration Fee Warning Letter at 767 UNIVERSITY AVENUE WEST.

WHEREAS, in the matter of the Appeal of Richard A. Bowen to a Vacant Building Registration Fee Warning Letter at 767 UNIVERSITY AVENUE WEST, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council grant to March 21, 2025 for orders related to interior items and wires; grant to October 31, 2025 for exterior related items, except for repair or replacement of broken windows which has extension to June 1, 2025; grant the appeal to be released from the Vacant Building Program; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.

My office has never been vacant; never received notice of any inspection.