

City of Saint Paul

*15 West Kellogg Blvd.
Saint Paul, MN 55102*



Minutes - Final - Final

Tuesday, May 31, 2011

9:00 AM

Room 330 City Hall & Court House

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

11:00 a.m. Meeting

Remove/Repair Orders

RLH RR 11-28 Resolution ordering the rehabilitation or razing and removal of the structures at 384 EARL ST within fifteen (15) days after the June 15, 2011, City Council Public Hearing.

Sponsors: Lantry

Attachments: [384 Earl St.Order to Abate Nuisance.3-25-11](#)
[384 Earl St.Pub Hrng Notice.4-29-11](#)
[384 Earl St.Stallman R-R Ltr 5-24-11.doc](#)
[384 Earl St.Photos.4-1-10.pdf](#)
[384 Earl St.Photos.5-12-10.pdf](#)
[384 Earl St.Photos.6-7-10.pdf](#)

Steve Magner, Department of Safety and Inspections-Code Enforcement, Attorney Larry Moloney, Southern Minnesota Regional Services, (representing Melissa Stallman), Melissa Stallman, and Kay Wittengstein, House-Calls, appeared.

Ms. Moermond summarized the May 24, 2011 Legislative Hearing for Attorney Larry Moloney. She stated the City shows that Stonecrest Income and Opportunity Fund I, LLC, owns the property. The Department of Safety and Inspections wants to get the property demolished or rehabilitated and asked that they try to determine the ownership of the property.

Ms. Stallman provided an Installment Purchase Agreement between her and Stonecrest. Ms. Moermond reviewed the closing documents and is concerned that the document she provided has no signatures. Ms. Stallman stated the original document has signatures and is also notarized but Stonecrest has it. Mr. Moloney questioned whether the property is abstract or torrens. Ms. Moermond stated it is an abstract.

Ms. Moermond said that whomever the owner is at the time the building is declared a nuisance is responsible for rehabilitation of the building. It would need to be approved by the City in order to transfer the title and would need to meet regulation compliance. She further stated that Stonecrest has similar types of sales such as this where they bought the properties as a Category 2 and sold as Category 3, which is illegal.

Mr. Moloney stated that the main issue is the transition and he has referred Ms. Stallman to Project Hope which is an organization that provides housing for people who are in difficult circumstances such as disabled or those who have kids. He hoped to get an appointment as soon as possible at Project Hope for Ms. Stallman to seek assistance.

Mr. Magner questioned how Stonecrest came to take ownership of the property when neither a truth-in-housing inspection or a code compliance inspection report had been obtained.

Mr. Moloney responded that from reviewing the March 25, 2011 Order to Abate

Nuisance Building letter, there are items to be corrected and there would be life safety issues that would need to be corrected first.

Mr. Magner stated that the Department is concerned about the occupancy and would like time to hold off enforcement pending the outcome of the meeting. He wondered if Ms. Stallman could do an investigation of Stonecrest.

Ms. Wittengstein stated that there are two unlawful detainers for Ms. Stallman.

[At this time, Ms. Stallman received a phone call from Stonecrest and staff took a recess]

Mr. Moloney said the phone call was from Susan Neideffer, REO Department of Stonecrest Funding, 408-557-0700 ext. 236, and John Hope, 408-557-0700, ext. 212. They discussed two topics: 1) providing housing for Ms. Stallman and her family. Mr. Hope indicated that he will check on getting housing for the family and will respond back to Mr. Moloney; and 2) Mr. Hope stated that he sees the situation different from the City and is wondering if there is a reinspection scheduled. He indicated Stonecrest is trying to find out what the repairs are, what has been addressed, and what has not. He asked for photographs of the nuisance because their photographs are different from what the City has. Stonecrest will be getting an attorney and is interested in getting time for the demolition or repair of the building.

Mr. Magner stated that his staff has had numerous conversations with Stonecrest verbally and by e-mails and has outlined their expectations. Stonecrest has also received personal service of the notice. Stonecrest has been told to obtain a Code Compliance Inspection Report and has failed to meet expectations.

Mr. Moloney stated he will get back to Ms. Moermond on when he can get Ms. Stallman to see Project Hope. Ms. Moermond stated that the vacate date of June 7 still stands.

Referred to the City Council due back on 6/15/2011