



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, November 15, 2016

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 16-537** Ratifying the Appealed Special Tax Assessment for Property at 915 BEECH STREET (File No. J1702A, Assessment No. 178501).

Sponsors: Prince

(Watch video only.)

VIDEO - crew removed car parts, cookers, an old refrigerator, plastic bottles, rubbish, a metal box spring, trash bags, etc, in the rear yard near the alley; there were no bags in the alley

Ms. Moermond:

-last time, we talked about how the photographs showed pretty much all of the items that we just saw in the VIDEO but the photos aren't attached to the record; we will attach the photos to the record

-otherwise, there was no change from when the inspector did the re-check to when the Video was taken

-there is no change in my recommendation

Approve the assessment.

Referred to the City Council due back on 1/18/2017

- 2 [RLH TA 16-505](#) Ratifying the Appealed Special Tax Assessment for Property at 1386 CHELMSFORD STREET. (File No. J1701A, Assessment No. 178500)

Sponsors: Stark

STAFF REPORT:

-watched the video again

-before video: wo to cut down the tree over hanging the public sidewalk, tree over growing public sidewalk.

-after video: cut down the tree impeding the public sidewalk and couple of the other tree hanging onto the street, couple limbs and trimmed that

Paula Seeley:

-questioned if Ms. Moermond talked to Nate

Marcia Moermond:

-No, the question that came up is the Excessive consumption charges when we doing a charge on a summary abatement

Lisa Martin:

-spoke with Steve Magner; the reason for the EC was when it was rechecked it was not taken care of and there were several complaints of the property; he said to leave the EC on and the work orders were done as well.

Marcia Moermond:

-asked if we have the EC charges in this packet.

-asked if we got one summary abatement order that led to two EC and the WOs were issued on the 7th and the 19th of July

Paula Seeley:

-SA sent on May 24th; compliance date of June 29, rechecked June 13 and June 29
-original SA was for trees, bushes, vegetation growing over public sidewalk and/or curb street and June 29th was the same thing

Ms. Moermond:

-we have 2 rechecks: the 13th and 29th

Ms. Seeley:

-there was only 1 SA on the 24th and no others

Ms. Moermond:

-we have an assessment for the tree removal and clean-up among other matters. Rec'd approval but there were 2 reinspections and one was a favor and went a 2nd time where SA charges are built to have a trip charge and that is why we don't do ec

Ms. Seeley:

-one was deleted in computer and never charged. It was canceled.

Ms. Moermond:

-asking if we are charging for both.

Ms. Seeley:

-we only see 1 EC

Ms. Moermond:

-rec'd approval

Referred to the City Council due back on 1/4/2017

3 [RLH TA 16-487](#)

Deleting the Appealed Special Tax Assessment for Property at 279 GEORGE STREET WEST. (File No. VB1702, Assessment No. 178801)

Sponsors: Noecker

Jon Miller, Milnas Companies LLP, owner, appeared

Ms. Moermond:

-so you are super close to finishing?

Mr. Miller:

-yes; actually, when we spoke on the 4th, I was just a couple items away from the final approval inspection

-on the 5th, I requested that and on the 7th, I received the Certificate of Code Compliance

-I brought the timeline and all my documents for you, if you prefer

Ms. Moermond:

-OK

-city records reflect that you received your Certificate of Code Compliance

Inspector Paula Seeley:

-finalized permits: electrical, plumbing, warm air and building

Ms. Moermond:

-this has been in the VB Program for 3 months

-you're good; if you get a bill, let us know

Delete the assessment.

Referred to the City Council due back on 1/4/2017

4 RLH TA 16-541 Ratifying the Appealed Special Tax Assessment for Property at 1016 IGLEHART AVENUE (File No. J1702A, Assessment No. 178501).

Sponsors: Thao

Work order to remove accumulated refuse, scrap wood next to garage, other refuse

VIDEO - crew removed improperly stored items: debris in yard: vehicle parts, buckets, scrap wood, tires, construction material, refuse, debris in fencing & driveway, junk, rubbish, etc.

Ms. Moermond:

-I'm thinking that we heard this case & this is the lean-to that comes so close to the property border of the neighbor; I'm trying to nail down just how deep of a conversation we already had with Mr. Coppess about what was necessary to abate the problems here; he seems to have taken away a lot things but a lot he moved just outside of where that lean-to was and I don't think that he had any reason to believe that was actually abating the problem

-we were pretty clear - had a long discussion

-does he get the requirement about getting the wood away from the bldg

Inspector Lisa Martin:

-he was told several times and he knows that he has to store it in the garage

-he complied with everything; he's repaired everything and waiting for the electrical permit sign-off; the yard looks better than it ever has; he took care of the vehicles; I spoke with the tenant and I walked back thru to verify

-I think he was upset because he felt that the city crew took some things of value

Inspector Paula Seeley:

-he might consider the wood to be of value

Ms. Moermond:

-the crew did the work; he's looking for a mulligan on this one and there are no mulligans; it's all about the city doing the work

-will recommend approval of the assessment for this work and divide the payments

over 3 years

Approve and spread over 3 years. (Watch Video only.)

Referred to the City Council due back on 1/18/2017

- 5 [RLH TA 16-540](#) Ratifying the Appealed Special Tax Assessment for Property at 2059 IDAHO AVENUE EAST (File No. J1702A, Assessment No. 178501).

Sponsors: Bostrom

Watch Video only.

Work Order calls for removal of brush/branches & overgrown vegetation throughout the yard

VIDEO - there's no brush/branches; crew cut down overgrown vegetation throughout the yard, around the foundation, the trees, back fence, etc.

Ms. Moermond:

-viewed photos on Mai's computer -showed brush pile, plastic bags, leaf bags - it was like the forest was going to eat that house up again (SA Jul 13; compliance Jul 19; re-checked Jul 28; crew did work on Aug 1)

Inspector Paula Seeley:

-it kind of looks like different stuff - totally different; the brush was gone; trash was gone; a little bit of tree debris around the foundation; wasn't specific

Mai Vang:

-correction notice item #1: including trash bag & brush, branches in rear; item #2: remove tall grass & weeds & rank plant growth in yard; item #3: cut & remove any overgrown vegetation, including tree....in public right-of-way

Ms. Seeley:

-I didn't see anything in the public right-of-way

Inspector Lisa Martin:

-looked like most of it was around the house

Ms. Moermond:

-the cyclone fence around the yard had rank growth growing thru it

VIDEO - viewed again

Ms. Seeley:

-it looks a lot better but should have been specified

Ms. Martin:

-so, the bags were gone; the tree branches were gone; so, they did make an effort

Ms. Moermond:

-will recommend reducing the assessment by half (from \$588 to \$294)

11:00 a.m. Hearings

Summary Abatement Orders**6** [RLH SAO 16-46](#) Appeal of Steve Coleman to Summary and Vehicle Abatement Orders at 842 JACKSON STREET.

Sponsors: Brendmoen

Steven M Coleman, owner, appeared.

Summary Abatement Order and a Vehicle Abatement Order

Inspector Lisa Martin:

-Summary Abatement Order issued Oct 26, 2016 specifically included a large downed tree in the front yard; a couch on the blvd; compliance Nov 4

-Vehicle Abatement Order issued Oct 26, 2016 regarding a black Cadillac, license plate 025 CKG with tabs of Apr 2016; it was written up to get current tabs on the vehicle

-I went out to re-check; I spoke with Mr. Coleman, who had said that he had tried to file an appeal before that deadline, so I held the Orders so that he could get his appeal in

Mr. Coleman:

-the tree had died; I hired someone to take it down; it was too large for him to take down

-today, I would like the SA Order complied with; I'm not understanding when and how I had to come in for an appeal; and some work pressure prevented me from getting it in on time; and I was nervous about that; so, the weekend after the 4th, I cut and moved the log to the parking area in the back of the property; I didn't want something to happen since I had gone past the 4th that I couldn't control and lose possession of this log; it's actually something I want to keep; when taking it down, I had opportunity to get rid of that part of the tree and did not, purposefully; it was an intentional act

-regarding the vehicles, etc: everything was complied with very quickly: vehicles are all titled properly and in the parking area

-the rubbish has been cleaned up; also some vehicles that had been parked in front of the property unmoved for more than a week

Ms. Moermond:

-this is a real borderline case

-in you appeal, you talk about building a bench (?)

Mr. Coleman:

-that's what it was left for in that exact location; yes, it was placed there; that corner is very exposed to the very busy street of Jackson and the alley; the tree is low enough but large enough for there to be a sense of separation from the corner, as well; losing that tree in that corner.....it's a very busy street and I try to keep the plantings and such around there open so that people can get in and out yet I do like a little bit of a sense of privacy & separation from the busy corner; that's why the tree was left there; and it's a very nice bench to sit on; it was a nice intentional location to leave it; I will do something else with the log as I find it a very nice large unique piece of wood; & I'd like to do something with it; one part will be cut into slabs as a table; then, the part that branches out is still vague to determine but something that preserves character of the tree

Ms. Moermond:

-the code covers wood as fire wood and brush; but this is not that; it's a pine tree;

Forestry went out to check the type of tree and any disease concerns they may have by allowing it to remain

-there are other parts of the code that could be stretched to fit around this to make it constitute a nuisance but I prefer that you be allowed a chance to finish your project

Mr. Coleman:

-as a practical measure, it should be allowed to dry for a time; hence, we painted the ends to prevent it from drying unevenly - protect it

Ms. Moermond:

-the foresters had no problem with that

-so, it gets to dry over the winter to Jul 1, 2016; if we need to we can talk about it again at that time

-concerned with the seat cut into the log that would lead to water infiltration into the wood and may lead to....rot; perhaps, you'd want to protect that

Grant an extension to July 1, 2017 for compliance of the tree.

Referred to the City Council due back on 12/7/2016

- 7 [RLH SAO 16-45](#) Appeal of Ryan Spryshak to a Notice to Cut Tall Grass and/or Weeds at 218 PAGE STREET EAST.

Sponsors: Noecker

Owner is now in compliance. Appeal withdrawn.

Withdrawn

Correction Orders

- 8 [RLH CO 16-38](#) Appeal of Brad Woodberry to a Correction Notice at 1105 IOWA AVENUE WEST.

Sponsors: Brendmoen

No one appeared.

Inspector Lisa Martin:

-last week, when they had sent an email, somebody's car broke down and they couldn't get here but they said that the boats were on pavers;

-I did have Supervisor Paula Seeley go out; she took photos on Nov 10, 2016 that show that his vehicles are in the yard and they put a couple pavers underneath but they also still have other issues with parking in the yard: jet skis & a trailer are not on proper class 5

Ms. Moermond:

-we need to add the Nov 10 photos that are consistent with the photos already in the file

-recommend denying the appeal with an enforcement date of Dec 12, 2016

-City Council Public Hearing Dec 7, 2016

Deny the appeal and grant to December 9 for compliance. (LHO recommended December 12 for the compliance date; however, she was looking at a 2017 calendar).

Referred to the City Council due back on 12/7/2016

11:30 a.m. Hearings**Orders To Vacate, Condemnations and Revocations**

- 9 [RLH VO 16-46](#) Appeal of Daniel Tsegai to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1541 CASE AVENUE.

Sponsors: Bostrom

Daniel Tsegai, owner, appeared.

Fire Supervisor Leanna Shaff:

-I received an email from Inspector Efrayn Franquiz last week that said all deficiencies had been corrected; it can be rented now

Ms. Moermond:

-our records are all clear now

Grant the appeal as the Fire C of O has been reinstated.

Referred to the City Council due back on 12/7/2016

- 10 [RLH VO 16-48](#) Appeal of Miguel Romano to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1148 HUBBARD AVE.

Sponsors: Stark

Miguel Romano and his mother, Linda Gonzalez, tenants, appeared.

Mr. Romano:

-my grandparents own the house; and this is my mom

Fire Supervisor Leanna Shaff:

-Fire Certificate of Occupancy Revocation & Order to Vacate

-an internal complaint came in about broken windows and a dumpster out front

-Inspector Jonathan Gaulke has never been inside the house

-his last letter is dated Oct 24, 2016

-appointment letters went out Jul 7; no entry on Jul 25, Aug 16, Sep 12, Oct 4 and Oct 14

-only deficiencies noted are those on the exterior

Ms. Gonzalez:

-we live at the house

-the dumpster was there to take care of the tires and other junk that was outside plus other items inside that we needed to get rid of

-the city was sending the letters to my mom in Las Vegas and she's almost 90 years old, so we didn't get those Notices and she can't read any more (she's going blind)

Mr. Romano:

-someone threw something at the window to break it; there's also a side window broken; my little brother broke it with the basketball as he was playing

Ms. Shaff:

-we've had 4 complaints this year that code enforcement has taken care of: vehicles in the driveway that are inoperable; junk in the side yard; garbage, broken furniture,

tarps.....; water shut off

Mr. Romano:

*-that's why we got the dumpster - to take care of all of that; it's all gone now
-and my mom lost her job so, I'm the only one bringing in money*

Ms. Gonzalez:

*-my brother lives with my mother Las Vegas
-my mother is paying the mortgage now
-we will be moving into an apartment at Christmas time, a smaller place; we will be leaving this house
-the apartment deal is a "for sure" deal*

Ms. Moermond:

*-asked Ms. Shaff to have the basic things checked out in the house and allow occupancy through Jan 1, 2017
-after you move out (Jan 1, 2017) the Fire C of O is gone
-the next chapter in this story is that this bldg will possibly go to the Vacant Building Program; sale would be a good option for your mom - the sooner the better*

Mr. Romano:

-that's what I've been working on

Ms. Moermond:

*-for the next 6 weeks, you will be the Responsible Party (had them fill out a form);
-we will treat it like a contact form; your mom has to sign this form saying that you're the Responsible Party*

Ms. Shaff:

-next inspection will be Nov 22, 2016 at 10 am with a focus on smoke detectors and CO alarm - the basic stuff

Grant an extension to January 1, 2017 for tenant(s) to allow continued occupancy of the building provided there are working smoke detectors and CO alarms.

Referred to the City Council due back on 12/7/2016

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 11 [RLH FCO 16-135](#) Appeal of Jason Lien, on behalf of Talon First Trust, LLC/Jackson I LLC to a Fire Inspection Correction Notice at 180 FIFTH STREET EAST.
Sponsors: Noecker
Rescheduled per owner's request.
Laid Over to the Legislative Hearings due back on 11/22/2016
- 12 [RLH VO 16-51](#) Appeal of Nicole L. Warner to a Notice of Condemnation-Unfit for Human Habitation-Order to Vacate at 786 ORANGE AVENUE EAST.
Sponsors: Bostrom

Nicole L. Warner, tenant, appeared.
Fire Supervisor A J Neis and Fire Inspector Brian Schmidt also appeared.

Condemnation Unfit for Human Habitation / Order to Vacate

Ms. Warner:

-I have 4 children (16, 9, 7 & 18 months) and I live with my mother, Catherine Warner; and my older son's girlfriend stays sometimes
-it's a 1-story house with 2 1/2 bedrooms; he made the basement into a bedroom but the lights are currently not working down there (the whole fuse blew in that corner bedroom)
-my mom works at Hubert Humphrey Job Corps; she also has depression and a hoarding disorder; my problem with her is that she says, "If you get help; I'll get help;" now, I'm getting help and she still hasn't gone to get help; she finally admitted that she has depression but she doesn't go forward to do anything, which is making my life even more....difficult

Ms. Moermond:

-you're situation is a little unique: you have a Condemnation with some pretty serious health & safety concerns; in these situations, it's my job to sometimes make a temporary decision until the City Council can make a permanent decision; that may be the situation with your case because of the severity of it; although, I feel that there are things that can be done
-I wanted to hear your case right away on an emergency basis because you have kids living there and your mom; there are concerns: 1) concern about you needing to find emergency housing if you have to get out; and 2) concern about you continuing to live in conditions that are not safe & healthy
-we have some good resources to help with your situation; I know that you've already had some of that conversation with the inspectors
-you've contacted the House Calls Program, Ramsey County (you've left a message)

Fire Supervisor A J Neis:

-we received a complaint yesterday; Fire Inspector Brian Schmidt went out yesterday to respond to the complaint; upon his inspection, he was allowed access by the Appellant and her family
-the conditions within the home were extremely severe: sanitation; hoarding; insect infestation; Mr. Schmidt was escorted by SPPD based on the information that we have on the property owner
-Inspector Schmidt called me out to the property to assist because he was looking to do an immediate Condemnation based on the severity of the conditions
-I went out and inspected just the main floor of the house; as I walked into the front door, I immediately saw animal feces on the floor; excessive clutter; an extremely foul smell permeating from the home; visible insects: cockroaches, bed bugs, fleas; these insects appeared throughout the home, predominately in a lot of the boxes of belongings - not just in the nics & crannies; they were running amuck throughout the house
-I consulted with Inspector Schmidt; I advised that we would Condemn the house; initially, it was going to be a 10-day Vacate but we have the upcoming holiday, etc; and we know that they need help so we decided to make it a 7-day Condemnation with an Order to Vacate

Ms. Moermond viewed the photographs with Inspector Schmidt; Inspector Schmidt explained where the photos were taken

Ms. Warner:

-my mom has been a hoarder for a very long time

-when we moved in, I had an ARMS worker and they directed me to House Calls; I got 2 different bins at 2 different times because I was getting rid of everything but mom keeps bringing stuff in; I got another one and sent it out; this time, since she heard this from someone else, I'm thinking that she won't bring anything back in; I told her if she does, I'm moving out; I can't deal with that much garbage
-we are each paying half the rent (\$1130) & bills; she's doing her own food
-I've never lived on my own; I don't know how my anxiety would handle that
-I want to move into a different house; I want to get rid of everything and start fresh
-I have not done the Bridges Program
-we have 3 generations and 3 different Latino cultures in the house
-my 2 younger kids' father is giving me a lot of pressure, too; he keeps telling me he's coming back sometime next year; he is not supportive
-the 18-month old child has cerebral palsy
-my older daughter has a missing #11 chromosome plus the left side of her brain is slow moving; her biological brother's right side of the brain is slow moving
-I have 3 different disability kids plus a teenager who thinks he's grown up and ready to move out; he has a traumatic brain injury from a car accident; he complains whenever I ask him to help me
-I don't have friends or other family who can help; after my grandmother & grandfather passed away, everybody in the family split up
-we have my cousin's belongings in the garage; I want it all out; it smells worse than my house

Ms. Moermond:

-you need that space; that stuff has to go
-you have a family of 6 in a 2 1/2 bedroom space; you need all the space that you can get, which includes that garage

Ms. Warner:

-I should just get that bin and throw all of her stuff in there

Ms. Moermond:

-I think that's where it's going
-I feel at a disadvantage not having House Calls here today

Mr. Neis:

-I have made a phone call and she has made a phone call; we've not yet heard back
-with moving that stuff out of the garage, my concern is that the belongings in the house are so severely infested that everything must go - not stored in the garage; there's boxes of clothes that her mother admitted had not been used in 6 years; they're just sitting there

Ms. Moermond:

-the concern with evacuating the house, in general, is that by moving, we move the insects with you - with the stuff (some roaches, fleas, bed bugs will move with you)
-how do we make it so that the problem doesn't travel with you? We want to figure out a way to get rid of the bugs
-once you're gone, the food sources that the bugs live on will dry up and they will leave and go into the neighborhood to other people's houses to look for food; so, we want to figure out a logical way to contain that; there's getting rid of stuff, cleaning stuff and getting extermination happening in a logical manner

Ms. Moermond took a recess in order to call the House Calls Program Director

The hearing reconvened at 2:09 p.m.

Ms. Moermond:

-this hearing will be continued to tomorrow at 1:30; House Calls Director, Lauren Lightner will be here

Laid Over to the Legislative Hearings due back on 11/16/2016

2:30 p.m. Hearings

Vacant Building Registrations

- 13 [RLH VBR 16-69](#) Appeal of Patricia Spann to a Vacant Building Registration Notice at 731 VAN BUREN AVENUE.

Sponsors: Thao

Supervisor Matt Dornfeld, Vacant Buildings:

-statement

-this is a Layover from 2 weeks ago; I attempted to contact Ms. Patricia Spann on Nov 8, 2016 and was unable to contact her and unable to leave her a voice message -today, Nov 15, 2016, I inspected the property and found it to be vacant but not secured; the garage was open to trespass; the rear entry door was also open to trespass

-took photos; emailed them Ms. Vang and Ms. Moermond

-I recommend that a Summary Abatement Order be issued with a 48 /72 hour compliance date to secure; and if not in compliance that the city authorize them to be secured

Ms. Moermond:

-I told Patricia Spann that if she had an attorney from Southern Minnesota Regional Legal Services (SMRLS) that it is my practice to waive the filing fee on the appeal; when she came in to file, she came independently without the name of a SMRLS attorney and paid the \$25 by check; that check was returned and we heard from our financial people that they add on a \$30 overdraft fee

-Ms. Spann did represent that she had an attorney who might be connected to SMRLS; I'm inclined to recommend that we DELETE the filing fee for the appeal but not the overdraft fee; those are charges that the city has incurred and I think are due & owing; for that reason, I'm going to recommend that this appeal be denied because we do not have a completed appeal application

Ms. Mai Vang:

-we learned that the attorney she mentioned at the hearing is not a SMRLS attorney; we sent an email to Heather Meyers & Colleen Walbran to ask whether they knew if Ms. Spann is represented by one of their attorneys and she is not; Ms. Meyers did find an attorney by the name of Laura Skibble at Volunteers of America, Estate & Elder Law Services (the spelling she gave us was not the way it is actually spelled); I was able to contact Ms. Skibble and she stated that she was not representing Ms. Spann; however, she stated that she will give Ms. Spann a call; I have not heard anything back

Ms. Moermond:

-Ms. Spann mentioned an attorney, who works for a nonprofit, who I think is sufficiently like SMRLS that I would be happy to waive this appeal but who isn't actually representing her; and there's the overdraft fee; Racquel did call/email her about that

-I think this appeal should be denied; Mr. Dornfeld enforces; the application was not

completed

Deny the appeal. No one appeared.

Referred to the City Council due back on 12/7/2016

- 14 [RLH VBR 16-75](#) Appeal of Jason and Jennifer Weimer to a Vacant Building Registration Requirement at 123 ISABEL STREET WEST.

Sponsors: Noecker

Jason Weimer, owner, appeared.

Supervisor Matt Dornfeld, Vacant Buildings:

- this property has been a Category 2 Vacant Building since Nov 20, 2015
- current property owner went thru our Sale Review approval process and was approved Feb 1, 2016
- all trades permits are currently on file and active
- maintained; no neighborhood complaints
- here to discuss 2016-2017 VB fee

Mr. Weimer:

- summary from letter: house built in 1894; when we took over, it was in a big state of disrepair; we've been executing our plan diligently - there's just a lot of work
- my wife & I have been rehabbing rental houses for the last 3 years - buy, fix and sell in the Twin Cities
- this is a longer term rehab -it's a larger size house
- we've made a lot of progress but it takes a long time to repair a larger house; we're targeting sometime this coming winter for completion; all exterior improvements have been done for curb appeal
- we've gutted the interior; it's a huge undertaking; we want the community to benefit
- asking for an extension in order to apply those funds to the rehab

Ms. Moermond:

- I'm familiar with this house because I was the hearing officer when this originally became a registered VB and I'm glad to see that it's moving along and getting rehabilitated
- I want to create an incentive for you to get to the other side on this
- I will waive the VB fee for 90 days to allow you to continue to pull permits and work on the house
- at the 90 day juncture, it will go to assessments; about 4 months from now, you'll get a letter in the mail from the city about having a proposed VB fee assessment; the letter will come with a gold postcard; send in the gold postcard, which signifies that you want to appeal the VB fee assessment
- sounds as though you will be nearly done at that point; if you are, I can either delete it entirely or drastically reduce it

Waive the VB fee for 90 days and allow permits to be pulled.

Referred to the City Council due back on 12/21/2016

- 15 [RLH VBR 16-78](#) Appeal of George Stone to a Vacant Building Registration Requirement at 1079 MARYLAND AVENUE EAST.

Sponsors: Bostrom

George Stone, owner, appeared.

Supervisor Matt Dornfeld, Vacant Buildings:

-Oct 31, 2016, Code Inspector Tom Friel opened a Category 2 Vacant Building per Fire Certificate of Occupancy Revocation

-notes: this is a 1-story wood frame stucco single family house that appears vacant; was secure

-Inspector Singerhouse & I inspected; referred by Fire Inspector Franquiz; found missing/defective screens, storm door; minor cracks in stucco, etc, as well as a number of deficiencies from the Revocation list

-there's a detached 1-car garage that is secure

-some tires, rubbish, carpet, household items in back yard

-photos attached

-issued a Summary Abatement for junk, debris in yard

-Nov 8, 2016, Inspector Friel returned to the property and documented that the bldgs are vacant & secure; exterior property has been abated & now in compliance; spoke with owner, who intends to appeal VB status

Fire Supervisor A J Neis:

-Revocation of the Fire C of O and Order to Vacate by Fire Inspector Franquiz

-C of O process started in Mar 2016; C of O had been ultimately Revoked Sep 22, 2016 to either have full compliance on the bldg or to have the bldg vacated

-Inspector Franquiz identified numerous code violations on the exterior, which included damage accessory structure; guard rail not properly connected; scraped, peeling paint; missing window screens; exterior storage

-interior had several code violations as well

-Oct 21, 2016, Mr. Franquiz went back out and found the bldg vacated; transferred to VB as Cat 2

Ms. Moermond:

-I granted an extension to Aug 19, 2016 to remove the gas stove & cap the gas line by a licensed contractor and discontinue use as a duplex

Ms. Mai Vang:

-that went to City Council Aug 3, 2016 already

Mr. Neis:

-previously, this was appealed in regards to the 2nd floor back in Aug, in which I identified that the majority of items appear to be tenant caused (4 dogs and a cat)

-based on the fact that there was a gas line upstairs, there was going to be a chance to use this as an unapproved duplex; it was functioning as such

-based on the number of code violations, we thought Cat 2 VB was necessary

Ms. Moermond:

-you are appealing the VB status

-I did not see you for an appeal for the Revocation of the Fire C of O

Mr. Stone:

-the tenants left unbeknownst to me; they told me that they were going to leave Oct 31 but left a week before and left the house vulnerable

-it was challenging to do repairs during the course of their tenancy

-they were nice people; never was a problem house to the city; no police calls or violence; just that more and more people showed up there

-I had told them at the beginning of the year that this would be the last year that they could lease

-I talked with Mr. Friel; I immediately called him and have been in touch with him about twice a week on the status of the house; the work being done; the yard clear

up, etc.

-I completed all of the last list

-I have realtors involved; I want to sell it

-Mr. Friel was kind enough to go over things with me about achieving a code compliance/TISH inspection; he told me to appeal & try to get it down to Cat 1

-I have photos of both interior/exterior repairs that I've done

-the home is emotionally attached to me; I lived with my mother there for 12 years

-my intent is to protect the home, to move back into it and effect repairs - paint, clean; it mostly just filthy; dog feces, dirty; they painted over some of beautiful wood - I want to strip that and expose the beautiful wood; I just want to move ahead

-I'm sorry it came to this; I'd like to have the VB fee money to fix up the house; it's all cleaned up now

Ms. Moermond:

-if we go with the code compliance inspector report, it will guarantee to me that we have a deconverted house and that all of these things have been taken care of

Mr. Stone:

-I have never advertised this house as a duplex; and I wish that they hadn't brought all of those people in there

-the door to the upstairs has been removed; and the stove has also been removed

-the property means a lot to me; I'd never abandoned it

Mr. Neis:

-history: the house had been certified in 2012; there were very few complaints: Dec 2015 for trash & brush; water shut off in 2013; appealed & variance granted on the west bedroom, 1st floor in 2012; garbage complaint in 2012; mattress near alley in 2010

-the duplex issue had not been identified

Ms. Moermond:

-if you can get your C of O Certificate reinstated by Jan 1, 2017, you're out of the VB Program

-text Franquiz & copy Shaff

Change VB status from Category 2 to 1 and grant until January 1, 2017 to get Fire C of O reinstated.

Referred to the City Council due back on 12/21/2016

16 [RLH VBR 16-77](#) Appeal of Nai Lo/Mai Vue to a Vacant Building Registration Notice at 1232 SEVENTH STREET EAST.

Sponsors: Bostrom

Mai Vue, owner, and Nai Lo appeared.

Fire Supervisor A J Neis:

-Revocation of Fire Certificate of Occupancy/Order to Vacate

-this is a 3-unit bldg that was heard a while ago in which a tenant had appealed the Revocation

-numerous code violations; you had agreed to grant an extension for the tenant in Unit #1 to Vacate (given until Oct 10, 2016); I believe that the other 2 units were already vacant

-Inspector Shaff had been concerned, based on the conditions of the bldg & the history, that any extensions were granted only to the tenant; not the owner

-owner would like this moved from a Cat 2 to a Cat 1 Vacant Building

-issues with the water heater; just general disrepair and lack of maintenance & care;
plus, there's a long history of complaints over the last few years
-we feel that a Cat 2 is the most appropriate status for this VB

Supervisor Matt Dornfeld, Vacant Buildings:

-Code Inspector Tom Friel opened a Category 2 Vacant Building Nov 2, 2016 per Supervisor Neis' testimony

-Mr. Friel added that he found refuse, discarded furniture, rubbish, debris, and a foul smell on the front porch; he issued a Summary Abatement Order to remove that problem; enforcement is currently stayed due to appeal that was filed

Ms. Moermond:

-I have an appeal of the VB Registration; I don't have an appeal on the SA Order issued Nov 2, 2016 (front porch); deadline Nov 10, 2016

Mr. Lo:

-appealing the VB fee and want it changed from a Cat 2 to a Cat 1

-the porch has been cleaned up by Nov 6; still haven't gotten rid of the couch; the tenant was just evicted; she had agreed to move out by Oct 10, 2016 but she didn't; so we evicted her about Oct 20 and gave her a week to clean up the porch but she didn't do that either; so, we cleaned up all of the porch Nov 5-6

-the inspector came out after the tenant complained; I asked him to give me a time but he never did

-the reason we could not make the repairs is because the tenant never allowed us to come in and repair what needed to repair

Mr. Neis:

-there's been 21 complaints on this bldg in the last 6 years ranging from illegal dumping to executing search warrants for drugs

-photos attached; can see lack of any due care

-notes: the ceiling had collapsed in the bedroom; if a ceiling has collapsed in a bedroom, we can't grant an extension; this is a life-safety issue; no one should be exposed to that

-the tenants, however, was allowed to stay if she moved her sleeping area to the living room

-this process has been going on since May 2016 - almost 6 months; the owners had time to get this into compliance

-the C of O was Revoked in Aug 2016

Mr. Lo:

-I agree but like I said, the tenant did not allow us to come in and repair

Ms. Moermond:

-Mr. Lo, you are the property manager and your wife owns it

-in the paperwork, it says that your address is 1232 East 7th St - so, you live here?

Ms. Vue:

-I'm trying to; not yet

Ms. Moermond:

-Fire, DSI and Ramsey County list this bldg as your address but you're not living here

Ms. Vue:

-we want to move in there; I haven't lived there yet

-we live in Minneapolis now

Mr. Neis:

-Inspector's notes from Oct 6: as per LHO, the tenant was granted until Oct 20, 2016 to vacate the property; the Revocation is still in full force for the 2 other units; the owner has never responded to my phone calls and the tenant in Unit 2 has not appealed or called; I called Code Enforcement about the situation; tenant has until Oct 10 to vacate the property; instructed by Supervisor Shaff to send it over as a VB -that was the 3rd Revocation Notice
-first Revocation Notice sent Aug 19, 2016 - comply or vacated by Sep 20
-second Notice sent Sep 21, 2016 - comply or vacated by Oct 10

Ms. Moermond:

-definitions of VB categories:
-Cat 3 - hard had bldg - dangerous or nuisance
-Cat 2 - middle of the road; nuisance; repairs need to be made before it can be re-occupied
-Cat 1 - turn key - can move in; it's ready to go
-your bldg is not ready to go
-Cat 2 would be unoccupied and a dangerous structure; aspects of this bldg are dangerous (collapsed ceiling is a dangerous condition); this is unoccupied and Condemned with multiple code violations
-you meet Cat 2 VB
-my recommendation to the City Council is to deny your appeal

Mr. Lo:

-does a person need a license to do Cat 2 work?

Ms. Moermond:

-we'll give you the Code Compliance Inspection application form
-call your inspector, Tom Friel and explain your circumstances; he can help lay out your options

Mr. Lo:

-we don't have the money right now to do all the work

Ms. Moermond:

Deny the appeal and waive the VB fee for 90 days and allow permits to be pulled.

Referred to the City Council due back on 12/21/2016

17 [RLH VBR 16-76](#) Appeal of Al Beatrez to a Vacant Building Registration Renewal Notice at 662 THIRD STREET EAST.

Sponsors: Prince

Alan Anthony Beatrez, owner, appeared.

Ms. Moermond:

-we have a Condemnation that happened a couple years ago

Supervisor Matt Dornfeld, Vacant Buildings:

-was made a Category 2 Registered Vacant Building Nov 25, 2014 per Condemnation by Fire Inspector George Niemeyer
-current owners went thru our Sale Review process and were approved to purchase Aug 25, 2016
-all permits are on file and active
-property area is being maintained

*-have not received any neighborhood complaints
-here to discuss the VB fee due at the end of this month*

Mr. Beatrez:

*-my plan was to complete the rehab by the end of this month but I ran into a 6 week delay with the Heritage Preservation Commission (HPC) getting permits approved
-will be finished mid-Dec
-all exterior is refurbished*

Ms. Moermond:

-will recommend a 90 day VB fee waiver

Waive the VB fee for 90 days.

Referred to the City Council due back on 12/21/2016