



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Meeting Minutes - Action Only

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer

Mai Vang, Hearing Coordinator

legislativehearings@ci.stpaul.mn.us

651-266-8585

Tuesday, June 4, 2019

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 19-427** Ratifying the Appealed Special Tax Assessment for property at 575 BEAUMONT STREET. (File No. VB1909, Assessment No. 198816)
- Sponsors:** Brendmoen
- Delete the assessment. (DSI staff granted an extension that was not recorded. Rehab is completed and file is closed).*
-
- Moermond:*
Another item for 575 Beaumont. A recommendation to delete and it looks like that got done and the file closed.
- Yannarely:*
Yes
- Referred to the City Council due back on 7/17/2019**
- 2 [RLH TA 19-440](#) Ratifying the Appealed Special Tax Assessment for property at 339 JESSAMINE AVENUE EAST. (File No. VB1909, Assessment No. 198816)
- Sponsors:** Brendmoen
- Layover to July 9. (inspection by Fire inspector to occur on June 13, 2019 @ 1 p.m.)*
-
- Dani Araya appeared.*
- Joe Yannarely, Staff:*
..Tax Assessment Worksheet
Cost: \$2127
Service Charge: \$157
Total Assessment: \$2284
Gold Card Returned by: ADS LLC, Dani Araya
Type of Order/Fee: VB Fee
Nuisance: unpaid VB Fee
Work Order #: 18-126925, Inv # 1410492

Returned Mail?: No

Comments: Category 2 VB 11-30-18

History of Orders on Property: I do not see a Code Compliant. During the time, we've had seven Summary Abatements, one Excessive Consumption, one tall grass, two snow walk complaints, and one snow/ice work order. The cost of the annual of the annual assessment is \$2284.

Moermond:

Was there a previous extension given on this? A previous waiver?

Yannareilly:

I don't see one.

Moermond:

Because it's surprising that, if it went into the program in August, that we are having this conversation now.

Yannareilly:

This came over from the C of O. it was made a prelim at one time, at the very beginning it looks like. Says owner will do some repairs and have it occupied very soon. Opened a preliminary file, but nothing ever came of it. And changed it over to a 2 sometime. I cannot find that exact date, when it happened. Oh, here it is, November 29. They put a note—"front porch packed with construction debris, presumably from the interior of the dwelling. No permits pulled on property. Owners [inaudible] change file to Category 2 VB and sending SA to remove debris from porch." And then the Summary Abatement was issued at that time, as well as the snow and ice order. That was November 29 of '18.

Moermond:

It looks like the Fire C of O program sent out an appointment letter but then they cancelled it because there's an active Vacant Building file and that happened about April 26 and it was noted in the file that on May 7, the inspector found that it was a Vacant Building.

Are you ADS LLC?

Dani Araya:

Yes.

Moermond:

Tell me a little bit about why you are appealing and what's going on with this property.

Araya:

Been a lot of things going on with this property. I purchased it and it was a very distressed property.

Moermond:

When did you buy it?

Araya:

I bought it in August or September of last year. That's when I purchased it. From there, I met the City officials. I explained them what the plan was. The house was in terrible conditions. I have some recommendations here. [inaudible] the downstairs was just trashed. So, we clean the house, we bring it back to clean so we avoid any

squatters or anything like that. The neighborhood is very rough so I've been have a little bit of hard time because, once we clean the yard, they started using the yard as a dump site. It was a constantly back and forth. I go and clean it, they go and dump it. After a while we been working on the house, a couple of things happen, they broke into the house, they stole all the guys' tools. That was my crew right there. That was why it took so long to get back on track and I spoke to Mr. Rich, I can't remember his last name

Moermond:
Singerhouse.

Araya:
Singerhouse. Great. And I've been in communication with him, back and forth. They come to the house. They look at the house and Rich say let me see if I can send this back to the Firefighter foreman C of O. He say seems like everything is getting kinda cross in the mail; it's too late. He goes you are going to have to wait for this hearing. You can present this. That's what my conversation with him was. So, the house right now, I have pictures. I did all the work, in fact, we are painting this week. We did all the work. It's on a corner lot, so it's been very hard. So we secure. I have a very good contact with the police department. We put motion lights around the house. We been constantly monitoring the house. And it seems like, finally, everything is in order.

Yannarely:
But you're not pulling any permits?

Araya:
We did all those [inaudible]. Rick was there. He saw it.

Yannarely:
A category 2 Vacant Building needs a Code Compliance inspection.

Araya:
But it was category 1, correct?

Moermond:
It changed. And you received a letter on that. I will bring that up here. The inspector you were talking to was Greg Gavin?

Araya:
Correct. I talked to Mr. Gavin and Mr. Singerhouse. 'Cause, obviously, just trying to do the right things.

Moermond:
I am seeing it became a new category 2 on November 30 so I will say the Vacant Building file was opened on November 30.

Yannarely:
Shall I call Mr. Singerhouse and see if he can look at the file?

Moermond:
The file is here, but some is dated August and some is dated other times.

Yannarely:

I think they opened up a prelim file and I'm not sure why they did that unless they thought they were giving him a break and then no permits, or nothing, were done. So, they made it a cat 2.

Moermond:

Right. That would have been...that would have given him 90 days to take action before it goes from preliminary to cat 2. Which is what I think happened. You had a conversation with the inspector back at the beginning and he said OK, three months, you turn it around. Three months happened, you didn't get it turned around. And so he put it into the Vacant Building program as a category 2 registered Vacant Building. You would have gotten the letters indicating you had a Vacant Building fee to pay.

Araya:

And I believe we sent payments.

Moermond:

No. You wouldn't be sitting here today, if you had.

Araya:

OK. I apologize for my ignorance in the process. I am trying to understand and whatever it is, trying to correct it, being I have invested a lot of money into purchasing this house and I have, finally, a family, a very good family, moving is, so.

Moermond:

Without a Certificate of Occupancy?

Araya:

No. That's why I am here today.

Moermond:

You are not getting a Certificate of Occupancy today. I am not able to give you a Certificate. You would have to have a Fire Certificate of Occupancy inspection to get that. You have two things in play. One is the Vacant Building fee and how much would you need to pay of that. The second thing is how you get it out of the Vacant Building Program. Quite specifically, you were told you needed to get a Code Compliance Inspection Report. You did not do that. So, here I am with a situation that you are saying, gosh I did a lot of work. I am hoping that the work was done correctly and work requiring permits, got permits pulled. You didn't pull permits so I am working on faith that none were required. Should I have faith in that? I don't know. In terms of the Fire C of O, you own property, I assume.

Araya:

I have another property in St Paul.

Moermond:

You know you need a Fire C of O before you can rent it.

Araya:

Yup. And we followed that procedure. But this house, it was so overwhelming and everything was happening at the same time and it seemed like every time I turned around, and did something, something else [inaudible]

Moermond:

You didn't take very good care of it, either. I mean, the things you did have control

over, you didn't.

Araya:

I didn't. I agree.

Moermond:

And you got dumped on a few times. I get that. That is kind of the nature of vacant properties, as well.

Araya:

You are absolutely right and that's why I turn everything around. I have a company under contract right now, that they are going to be mowing the yard every week. I also have a guy who lives near who is going to be monitoring the house, back and forth. I got phone numbers from the police officers to make sure we avoid any crime on the property.

Moermond:

Most recently, a letter went out to you May 30 indicating we had a tall grass complaint on your property.

Araya:

That was taken care of Saturday. I just enter into a contract with this new person, so he's going to be taking care of that.

Moermond:

But there we have the City telling you to take care of your property instead of you doing it on your own. I have no pictures that document building conditions at the beginning of this process. Do you?

Yannarely:

I don't see a description of it. Tom Friel did the opening of the file. I can try to call him or Rich to try to find out.

Moermond:

The TISH had three things it called out: electrical outlets and fixtures being called out as hazardous; got some below minimums; a good handful of below minimum. I am struggling with how you did the repairs, so far, without calling an electrician? And getting an electrical permit to do some of this work.

Araya:

I didn't do any electrical.

Moermond:

In the Truth in Sale of Housing Report from April, it calls out some electrical items as needing to be done. So, either they were done when you purchased the house, which seems unlikely, since you bought a junk house.

Arays:

It was in pretty poor...

Moermond:

Or you did them. Or you didn't do them. And if you did do them, you didn't do them under permit.

Araya:

And I thought the Truth in Housing was closed. Open?

Moermond:

I don't understand what you mean.

Araya:

How that works, the Truth in Housing?

Moermond:

It is simply a private inspection report that's required to transact a residential property in the City of St Paul. Lacking a current C of O, or photographs from the time you purchased it, this was the closest in time inspection that occurred and I was looking to get a gauge on what kinds of code violations existed. And that needed to be addressed, because I don't have any permits and I don't have an inspection report to go off of. I simply have what you are saying here which makes me a little nervous. The inspector who did the TISH report specifically called out electrical items. We have fixtures that were not placed correctly. He calls out, in his summary, he calls out electrical outlets and fixtures. In the report, he provides specifics. He also talks about water lines being in bad shape. I don't know if you have replaced the water lines.

Araya:

Yup. There was a water line. The main water meter, it was leaking. And I hire a plumber. And he went and did it.

Moermond:

Without pulling a permit?

Araya:

Ummm...

Moermond:

There's no permit that's pulled, so...no permit was pulled to do that work.

Araya:

I will talk to that plumber.

Moermond:

Well, that's nice now, but I am thinking, is there plumbing work that happened behind sheetrock? That we don't know about because you didn't get the permit. I have less faith, because it seems like you are pulling a fast one.

Araya:

I understand and I will talk to the plumber. I can't remember the precise name of the company. Tim...no, his name was Tim...

Moermond:

OK, it talks about some outlets not being accessible. Talks about excess obstructed...he's got outlets and fixtures in a couple places, pulled out. He also talks about not being able to gain access to some rooms because they were full. Those rooms were uninspected because they had junk in them.

If I am looking at this from when you bought the building back in August, it was a

preliminary Vacant Building. I am not seeing the work preliminary in the file.

*Mai Vang:
There is.*

*Joe Yannarely:
Tom Friel put it in a preliminary file August 7. He was talking to you at that time.*

*Araya:
Yup, we were in communication at that time.*

*Moermond:
Well, we are six months into the year right now.*

*Yannarely:
He was given the opportunity to start pulling permits and doing the work right away. Based on him talking to you. None of that happened, so.*

*Araya:
Right.*

*Moermond:
I am feeling I have enough information to get a full C of O inspection and then see if a more heavy duty inspection needs to occur. I am tempted to say let's get Leanna Shaff in there. Give it the once over and we can see if he's close enough to get a C of O or if it should get a full Compliance. Right now, if you had everything ready to go today, I would look at reducing the assessment by half, but you don't because we don't know how this is going to end up.*

When is this scheduled to go in front of Council, Ms. Vang?

*Mai Vang:
July 17.*

*Araya:
What going to happen then? On that?*

*Moermond:
That is when the City Council will consider this assessment.*

*Araya:
OK.*

*Vang:
Ms. Moermond, the last C of O was in April, 2018. C of O approval with deficiency.*

*Moermond:
And what are those deficiencies?*

*Vang:
There was only one. Exterior—scrape and paint peeling areas by June 1.*

*Moermond:
And that was after it was condemned.*

Vang:
Condemnation was January.

Moermond:
That's pretty bad. I am struggling with how the C of O was issued if the house was full of junk.

Vang:
There's a condemnation in January and the first C of O with deficiency letter January 29 and then another 3/7/18 and then in April, that's when they got their C of O approval.

Moermond:
In April, there was also this TISH report, which indicates things aren't hunky-dory either.

What I am trying to ascertain, at this point, is whether we should go with a C of O inspection to see if that could be reinstated, or if we need a Code Compliance inspection at the end of November, 2018. All the work has been done, there were no permits pulled. According to the TISH report and what we have just heard, several rooms in the house were full, so I am surprised that the C of o didn't hang onto that.

Leanna Shaff, Staff:
I am looking for pictures here. January 23. The inspector was Inspector Klein. A lot of comments.

Moermond:
So we have a new owner, who picked it up in August.

Shaff:
On 1/29, he writes the contents had been reduced by over 50% and he lifted the condemnation. Then on the approval date of 4/13/18, first floor tenant provided access to both units. Upstairs unit is unoccupied due to turn. He approved it with corrections. Which would be some exterior walls.

Moermond:
Where I am going to go with this is if you or somebody on your team could take a look at this and if the C of o can be reinstated, I can use that in place of a Code Compliance inspection Report.

Shaff:
Who made this a Vacant Building?

Moermond:
It appears it was turned over to Vacant Buildings in August and um...

Yannarely:
It was referred by Paula Seeley, Code Enforcement, so C of O must have referred it to her.

Shaff:
C of O was approved last April. April of '18.

Moermond:

I think it was exterior maintenance and observing it was in bad shape. The tenants were out. Inspectors Seeley and Singerhouse were out there, met with the owner, tenants were just out. Current C of O on the house [inaudible]. The yard cleaned up by Parks. [inaudible] plans to have occupied soon. Opened preliminary Vacant Building file. So, we have an unoccupied C of O property. That was why Paula was out there.

Shaff:

How soon did you want this back in here?

Moermond:

The Vacant Building fee is in front of City Council July 17, so let's do a follow up on July 9..

Shaff:

So I have a little time.

Moermond:

I am going to ask Ms. Shaff to make an appointment. If the C of O can be reinstated by July 9, I will recommend a 25% reduction in the Vacant Building fee. If it is not done, it will be 100%, no reduction. I feel like I am giving you a present, because the conversation was started back in August.

Shaff:

I'm sorry, what was that date?

Moermond:

Legislative Hearing July 9. Council public hearing July 17.

Yannarely:

If she finds they are OK, will she notify the Vacant Building so they can close the file?

Shaff:

I'm right here; yes, I will.

Moermond:

We have a plan of action.

Shaff:

Can you be there Thursday June 13 at 1PM?

Araya:

Yes. 1PM.

Shaff:

Are you Dani? And where should I send the letter?

Araya:

950 County Rd 10

Shaff:

is your correct telephone number

Araya:

612-328-2580

Moermond:

Ms. Vang will give you a form to fill out and give to Ms. Shaff.

Shaff:

Do that right away and give it to me and I will get the letter right out.

Araya:

Thank you very much.

Laid Over to the Legislative Hearings due back on 7/9/2019

3 RLH TA 19-443

Ratifying the Appealed Special Tax Assessment for property at 58 WHEELLOCK PARKWAY EAST. (File No. VB1909, Assessment No. 198816)

Sponsors: Brendmoen

Reduce from \$2284 to \$1142.

Ivan Farrera appeared.

Joe Yannarely, Staff:

..Tax Assessment Worksheet

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: Ivan Ferrara

Type of Order/Fee: VB fee

Nuisance: unpaid VB fee

Work Order #: 17-213572, Inv # 1402313

Returned Mail?: No

Comments: VB Category 2 since 11/4/17

This building was rehabbed and given the Code Compliance May 6, 2019. That would be a half year into the cycle. We've had two snow walks during the time it's been a Vacant Building.

Moermond:

And the amount of the assessment?

Yannarely:

The amount of the assessment totals \$2284.

Moermond:

Mr. Farrera, what are you looking for today?

Ivan Farrera:

Just to see if it can possibly be reduced a little. We sent over the pictures to Inspector jim Seeger, when we completed pretty much everything and he was to follow up. Just to see we passed it. Something pro-rated or something that's good in your eyes.

Moermond:

It would be OK with me to recommend the Council cuts this in half.

*Farrera:
Thank you.*

Referred to the City Council due back on 7/17/2019

10:00 a.m. Hearings

- 4 RLH TA 19-437** Ratifying the Appealed Special Tax Assessment for property at 1258 ALBEMARLE STREET. (File No. CRT1909, Assessment No. 198209)

Sponsors: Brendmoen

Delete the assessment. (There were two different inspectors working out the two folders, one month apart. Owner paid invoice dated April 1, 2019 under folder #134182)

Moermond:

And as long as we are just reading these, looks like Inspector Shaff has listed for 10AM at 1258 Albemarle Street and that was to be [inaudible]. Just noted we have two folders going on with this one property. Should just be one folder [inaudible] on one of them, so we are all good. We will have the second bill out. Perfect.

Referred to the City Council due back on 7/17/2019

- 5 RLH TA 19-399** Ratifying the Appealed Special Tax Assessment for property at 337 MCKNIGHT ROAD SOUTH. (File No. CRT1907, Assessment No. 198206)

Sponsors: Prince

Reduce from \$399 to \$242.

John Varchminn appeared.

Leanna Shaff, Staff:

..Tax Assessment Worksheet

Cost: \$242

Service Charge: \$157

Total Assessment: \$399

Gold Card Returned by: John Varchminn

Type of Order/Fee: Certificate of Occupancy

Nuisance: unpaid C of O on a duplex

Date of Orders: Appt letters 8/20/18; 9/17/18; C of O Deficiency Letter 10/8/18

Compliance Date: Approved 11/8/18

Work Order #: 19-092882, Inv 1470690

Returned Mail?: No

Comments:

History of Orders on Property: Bills were sent on November 12, 2018, and December 12, 2018, to John Varchminn at 5887 Oneka Lake Boulevard in Hugo.

Moermond:

You are appealing this. Can you tell me why and what you are looking for?

John Varchminn:

The whole thing started with...I paid the fee, I have my bank record showing I paid it on...oh...December 11. I paid the fee. It was returned to me on February 8. I'm not sure why that was, because I think I sent it based on a collections address. Paid it through Wells Fargo Bill Pay. The problem originated from because the City had my wrong address. They were mailing it to the rental property. I have the letter right here in my hand, says 337 McKnight Road South. And I'd given the Fire Inspector my address and he said do a form, which I did, and I'd done that with the previous Fire Inspector, too. To a different address and it never got changed, for whatever reason.

Moermond:

Is your address 5887 Oneka Lake?

Varchminn:

It is.

Moermond:

That's where the bills were sent. I have the bills right here.

Varchminn:

I have this right here. It says 337 McKnight Road South.

Moermond:

That is what comes from Ramsey County Taxation. The address is what you told Ramsey County, or your Title Company told Ramsey County when you bought it. That is the address of record that they have for you as a taxpayer. If this gets processed as a tax assessment, as opposed to a bill, they have to go to the taxpayer record, they can't go off of your fire bill any more. Because you, as a taxpayer, become the responsible party. What I would suggest is that you get hold of Ramsey County Taxation and let them know what your current address is, so you will have that squared up, and then you will get your property tax statement then won't list your address as being on McKnight.

I am hearing that you paid and you paid after the deadline. Is that why it was returned?

Shaff:

That is exactly what we do. We send out two bills. You get 30 days to pay the first one. If we don't get payment on that one, next day we send out another bill and you have 15 days. After that, it goes to assessments.

Moermond:

It looks like the second letter is dated December 12. That gives til...

Shaff:

December 27.

Moermond:

December 27 and if we can just take a quick look at the Wells Fargo thing, it looks like you made and attempt to pay. I would knock off the administrative fee. And get you back down to what your original bill was.

Varchminn:

OK. That's fair.

Moermond:

We will give you a phone number for Ramsey County Taxation. What is that, Ms. Vang?

Mai Vang:
651-266-2000

Moermond:

Let them know where they should be sending your stuff.

Shaff:

Why [inaudible]

Moermond:

They are saying the City sent it back to them. I think the administrative fee is what is in play.

Varchminn:

I thought, when I talked to the actual inspector, he said once we receive payment, then we will send you the Certificate of Occupancy. And I got the Certificate, so I thought everything was clear. And then, in February, I get the stuff back and the reason I missed the first hearing is he has, again, mailed to the residence and I go there on the first of the month and collect rent...

Moermond:

Which is what one would do, if that is the address one has been given.

Varchminn:

That's why I will call the Taxation people and see if I can switch it out.

Shaff:

We have your correct address as the responsible party. David Smith put it in there, March 8, 2018. It is Ramsey County that you haven't updated.

Moermond:

And nothing can go on your taxes, or anybody's taxes, without getting notice and so they go straight to the tax owner.

I will recommend the Council deletes the administrative fee. We will get you back to a bill of \$242. This should go before Council in, what, a couple of weeks?

Mai Vang:

I don't think I put a Public Hearing because it was late. It was referred back to LH.

Moermond:

Let's have it go to City Council on June 19. I will make the request to the Council to reduce the charge then. If they approve that, you will get a bill in the mail in a week or two. If you don't pay that, it will go onto your 2020 taxes. Currently, that bill will go to the McNight address.

Varchminn:

I need to get this address changed with Ramsey County right away.

Referred to the City Council due back on 6/19/2019

- 6 RLH TA 19-401** Ratifying the Appealed Special Tax Assessment for property at 1175 MATILDA STREET. (File No. CRT1908, Assessment No. 198208)

Sponsors: Brendmoen

Reduce from \$399 to \$363.

Referred to the City Council due back on 6/19/2019

- 7 RLH TA 19-431** Ratifying the Appealed Special Tax Assessment for property at 31 WINTER STREET. (File No. J1909E, Assessment No. 198314)

Sponsors: Thao

Approve the assessment.

Cheryl Calloway, court appointed conservator, appeared.

Joe Yannarely, Staff:

..Tax Assessment Worksheet

Cost: \$122.00

Service Charge: \$35.00

Total Assessment: \$157.00

Gold Card Returned by: CHERYL CALLOWAY

Type of Order/Fee: EC

Nuisance: REPEAT SNOW LETTER WITH WORK ORDER SENT

Date of Orders: 1/7/19

Compliance Date: 24 HOURS FROM POSTMARK

Date Work Done: DONE BY OWNER, REINSPECTED 1/14/19, Work Order Printed 01/15/2019

Work Order #: PA 19-003620

History of Orders on Property:

05/19/2016 : 05/19/2016 Tall Grass Complaint Received.

05/24/2016 : SA Printed: 05/24/2016

05/31/2016 : 05/31/2016 Tall Grass Complaint Received.

06/01/2016 : 06/01/2016 Tall Grass WO created: PA 16-041941

Cut and remove tall grass, weeds and rank plant growth from yard, blvd, and alley areas.

06/24/2016 : SA Printed: 06/24/2016

06/30/2016 : 06/30/2016 Tall Grass WO created: PA 16-053039

Cut and remove tall grass, weeds and rank plant growth from yard, blvd, and alley areas.

07/27/2016 : SA Printed: 07/27/2016

08/04/2016 : 08/04/2016 Tall Grass Complaint Received.

08/05/2016 : 08/05/2016 Tall Grass WO created: PA 16-065902

Cut and remove tall grass, weeds and rank plant growth from yard, blvd, and alley areas.

08/29/2016 : SA Printed: 08/29/2016

09/07/2016 : 09/07/2016 Tall Grass WO created: PA 16-076351

Cut and remove tall grass, weeds and rank plant growth from yard, blvd, and alley areas.

10/12/2016 : SA Printed: 10/12/2016

10/21/2016 : 10/21/2016 Tall Grass WO created: PA 16-091438
Cut and remove tall grass, weeds and rank plant growth from yard, blvd, and alley areas.
12/15/2016 : SA Printed: 12/15/2016
05/26/2017 : SA Printed: 05/26/2017
08/08/2017 : 08/08/2017 Tall Grass Complaint Received.
08/09/2017 : SA Printed: 08/09/2017
08/17/2017 : 08/17/2017 Tall Grass WO created: PA 17-070798
Cut and remove tall grass, weeds and rank plant growth from yard, blvd, and alley areas.
09/13/2017 : SA Printed: 09/13/2017
12/07/2017 : SA Printed: 12/07/2017
12/15/2017 : 12/15/2017 Garbage Rubbish WO created: PA 17-222216
Please remove plastic containers, ladder, chair, wicker basket, bed frame parts, fluid containers, blankets, scrap wood, building materials, pallet, white lawn furniture, cement blocks, garbage containers and tree parts on the ground west/north/east of garage and in yard.
12/15/2017 : 12/15/2017 Snow Ice WO created: PA 17-222217
Remove snow and ice from public sidewalk full width including sidewalk ramp to street, salt and sand as needed.
01/23/2018 : SA Printed: 01/23/2018
02/02/2018 : SA Printed: 02/02/2018
02/09/2018 : 02/09/2018 Snow Ice WO created: PA 18-027670
Remove snow and ice from public sidewalk full width including sidewalk ramp to street, salt and sand as needed.
04/26/2018 : SA Printed: 04/26/2018
05/04/2018 : 05/04/2018 Garbage Rubbish WO created: PA 18-058864
Remove improperly stored or accumulated refuse which may include: garbage, rubbish, loose and scattered litter, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from entire property including yard, boulevard, alley, and driveway. PLEASE REMOVE LADDER, PLASTIC TRAVEL CASE, SCRAP WOOD, SCRAP METAL, GUTTERS ON GROUND AND LOOSE DEBRIS NORTH OF GARAGE, EAST OF HOUSE AND IN REAR YARD.
05/23/2018 : 05/23/2018 Tall Grass Complaint Received.
05/30/2018 : 05/30/2018 Tall Grass WO created: PA 18-067377
Cut and remove tall grass, weeds and rank plant growth from yard, blvd, and alley areas.
12/03/2018 : 12/03/2018 Snow Walk Complaint Received.
12/11/2018 : 12/11/2018 Snow Ice WO created: PA 18-130277
Remove snow and ice from public sidewalk full width including sidewalk ramp to street, salt and sand as needed.
01/07/2019 : 01/07/2019 REPEAT Snow Walk Complaint Received.
01/15/2019 : 01/15/2019 Snow Ice WO created: PA 19-003620

Moermond:

This appears to be an excessive consumption charge. Is that true Mr. Yannarely?

Joe Yannarely:

Yeah, this was a repeat snow letter with a work order sent for a total assessment of \$157. The first snow letter was sent December 3 and a work order was done by Parks. The second snow letter was sent January 7 with a compliance date of 24 hours. It was inspected and found to be done by owner but tat still necessitates Excessive Consumption. You can see by the history of the property, that there is extensive

history. The snow letters should be attached to the file.

Moermond:

I am curious if we could look at the video. Oh wait, there's no video, never mind. What we would have then, is a photograph, right?

Mai Vang:

Right. I think I was looking for a photo on this and I didn't find any.

Moermond:

All right. We have an Excessive Consumption because the work wasn't done in the timeframe. It was that kind of Excessive Consumption, not that there were three or more violations in 12 months.

Yannareilly:

The repeat snow letter, yes.

Moermond:

This is an Excessive Consumption charge because there were more than three? Or because it wasn't done in time?

Yannareilly:

Because it wasn't done in time.

Moermond:

The distinction is this, they can charge an Excessive Consumption fee if there are three or more found violations within a 12 month time period. That's one category. The other category is, if they send an order and they go and do a recheck and the work isn't done, so they deploy a crew, but by the time the crew gets there, the work is done. So, they are charging you for the dispatch of the crew, not the work that the crew did. In this case, it is the second that is causing the charge of \$122, plus a \$35 service fee.

You are appealing this. I am seeing a name on these orders, Helen Bandow?

Cheryl Calloway:

Yes.

Moermond:

Are you acting on Helen's behalf?

Calloway:

Yes. I work with Thomas Allen Consulting. I am not acting as a consultant; I am the court appointed conservator for Helen Bandow. I have paperwork to show you if you want to see it that shows all those things.

Moermond:

I trust you.

Calloway:

I am newly appointed; this is my 12th day on the job. I need to provide some history and then sort of figure out where we go from here. Ms. Bandow is in a nursing home. She has limited income and most of her income goes to taking care of her in the nursing home. The house, as I understand it, her mother died some years ago. Her

mother's estate, Francis, was never probated. Sometime after she died, one of the sisters, there are three people involved in the ownership of the house, as best I can tell. One of the sisters went to court and got an order that divvied up the mortgage on the house. There's nothing I can find that divvied up the house but it's sort of logical that is they each own a third of the mortgage, they each own a third of the house. So, out first problem is that, to the extent that Mrs. Bandow owns anything, she only owns a third of it.

The second issue is she doesn't have the money to pay it. I called down to the number that's on the form, that says if you are elderly or have other issues, you should call them, have not been able to get ahold of anybody and no one has returned my calls, to see if we could sit down and talk about this and figure out what has to happen. The other complication is that we, as conservators, would like to sell the property, but the County boarded it up.

Moermond:

That would be the City, probably.

Calloway:

Somebody, anyway, it's boarded up so we can't get in. so, it is my hope that we could do something that would allow me to talk to whoever the appropriate people are to get access to the house so that we can take care of getting the house sold and we don't have to concern ourselves with the City doing work at the house.

Moermond:

Can you tell me, the address for Ms. Bandow is listed on Livingston, in St Paul.

Calloway:

That's Thomas Allen, that's our office.

Moermond:

OK.

Calloway:

Because we are the conservator, the bills come to us.

Moermond:

Just going to see where things are at with the property taxes. The past years are paid; there hasn't been a spring payment, which is good. I am thinking you have significant assessments in the past for clean ups.

Calloway:

Yes, there have been a lot of them. To the extent she has money, we have paid them. But mostly, she doesn't have the funds and our belief is, even if she owns it, she only owns a third of it.

Moermond:

I will say, if her name is on the property, and I don't know if her name is on the property, of the property tax statements. Right now, they are headed to Livingston. I'm sure you guys need to have a private discussion with the siblings.

How long has it been the case that she has been out of the picture? Has it been since 2016?

Calloway:
Early 2018, late 2017.

Moermond:
And she was probably having trouble managing the property in 2016?

Calloway:
Yes.

Moermond:
It looks like she was having problems in May of 2016 and then it was like...

Calloway:
Yes, it went downhill from there.

Moermond:
Full steam ahead. The City is involved in taking care of the property.

Calloway:
Yes.

Moermond:
What do you guys do in terms of having some sort of property management company go by and take care of things.

Calloway:
Like I said, this is day 12. I don't know. This is one of the things I am looking into but my real interest is in trying to talk to somebody. Apparently, there's some [inaudible] or something that can happen because she is elderly and otherwise [inaudible]. And if we could get into the house, and assess its condition and...

Yannarely:
You can get into the house. Any time you want. You will just have to re-secure it when you leave. Those people who do that, basically just rip off the boards and put a hasp on them, a clasp, so they can re-enter.

Calloway:
We can go out there and take stuff off?

Yannarely:
As long as you have legal right to go there. [inaudible] but then, you have to re-secure it. However you want to do that.

Moermond:
It looks like this has been in the Vacant Building Program for a long time, since 2016, basically. Who is the current building inspector?

Yannarely:
Rick Gavin has been monitoring it.

Calloway:
Right, he's the one I called.

Yannarely:

That would be Mr. Dornfeld's area; he's the supervisor.

Moermond:

You could call...Rick Gavin is at...I'm sure it's in the letters.

Calloway:

Yeah. He's the person I called but I haven't been able to reach him, nor does he return my calls.

Moermond:

I'm going to suggest you try Matt Dornfeld. His number is 651-266-1902. He's the supervisor for that part of the City. Let him know that you will be entering the building and will be unscrewing a board or however you plan to deal with that. [inaudible] taking care of things in there, but I am concerning myself with the lack of maintenance right now and there's a bad history of maintenance here. I like to use these opportunities as incentives to improve maintenance of a property moving forward. However...

Yannarely:

Just sent a work order yesterday.

Moermond:

A work order was sent yesterday. This just looks bad. And you are day 12, I get that.

Calloway:

I am trying to get a handle on this stuff and get it taken care of. And address of this. This is one of the reasons I came down here was to talk to people and understand what was happening.

Moermond:

Mr. Yannarely can put a note in the file and do we have Vacant Building Registration Form with Thomas Allen? We definitely have you address on file.

Yannarely:

I see a recent VBRF...

Moermond:

We are giving you a Vacant Building Registration Form and it provides contact information to the City for who should be contacted in these cases. Usually, the Vacant Building guys will reach out to them if there's problems with the property. Sending the letter is what they are legally required to do, but if they have a few minutes, they almost always like to give a call. Just to check things out.

Calloway:

Now we have our first problem. Ms. Bandow doesn't have \$2127 to [inaudible] this form.

Moermond:

Well, you complete the form without paying the fee. Let's start the fee in front of me today.

Yannarely:

The fee is being assessed, though.

Moermond:

Yes. I think the question is...yes, it's been in the Vacant Building Program since 2015, so it is very much in the interest of the estate to unload this property and get it in the hands of somebody who can do the work. What I would suggest as the fastest way to get that done, I do not see a...do you want to give her a Code Compliance Inspection Application? So, get through the probate so a clean sale can happen and we are going to give you a form for a Code Compliance Inspection Report. That report would give you a list of things that need to be done in order for the property to be re-occupied. It can also be used as a disclosure form in a sale that the buyer could use that. If you use this, you don't have to have a Truth in Sale of Housing report. So, the money for this is somewhat offset by that. [inaudible]

Mai Vang:
\$469

Moermond:
\$469

Yannarely:
Still have to go through sale review.

Moermond:
Your buyer is going to have to prove to the City they can fix the house. Often it is people in the flipping business who pick these things up. It doesn't sound like, as a conservator, you would be in the position to do that.

Calloway:
No.

Moermond:
That inspections report, coupled with clean title, will get it off your hands. I don't know how much equity there is in the house.

Calloway:
I have no idea. I have no idea about the condition of the house, or anything.

Moermond:
It's probably not good, since it's been empty for 3 ½ years. But, I don't know. If it's been boarded, it means somebody broke in at some point. You will be able to assess that when you go in there.

Yannarely:
The last assessment bill was in November, so they have until November.

Moermond:
Before your next [inaudible] comes due. So your next assessment bill doesn't happen until November of '19. That's just for the Vacant Building Fee, not any lawn maintenance that we are doing.

Calloway:
Let me be sure that I am understanding.

Yannarely:
You might want to get somebody to start cutting the grass, so you don't have \$350,
\$160

Calloway:

I will look into that, too. At some point, this document was filed to make it a vacant property...

Moermond:

Back in 2015.

Calloway:

In 2015. And you have to refile annually?

Moermond:

Once it is found to be a vacant building, it is put in the Vacant Building Program and there are annual fees associated with that. So, that's the end...the registration form is to get the correct contact information, including email and phone so they can reach out to you as a new manager on this. A work order was generated yesterday so the lawn is probably being mowed as we speak...

Yannarely:

\$150 plus assessment fees, probably \$320.

Moermond:

The faster someone can be out there, on a regular basis, maintaining the property, the better. From my perspective, I would focus on getting yard maintenance in place and getting the Code Compliance done. And getting the title cleared. Whoever picks it up can fix it, and the Vacant Building fees stop.

Calloway:

How much is the Vacant Building fee?

Yannarely:

\$2127

Calloway:

Every year?

Moermond:

Per year.

Calloway:

Ooooo...

Moermond:

This property has seemed to need every inspection that it gets, which is bi-weekly, or bi-monthly.

Calloway:

Somebody paid this \$2127?

Moermond:

It gets assessed to the property taxes.

Yannarely:

Which adds another \$157 to it, by having it go to assessments.

Calloway:
\$157?

Yannareilly:
Yeah. Which would be \$2284.

Calloway
I am so glad I came in.

Yannareilly:
With regard to the Code Compliance Inspection, you are going to have to provide access to those inspectors. Usually, a lock box.

Calloway:
Right. Are these City Inspectors? Or private inspectors?

Yannareilly:
They are City Inspectors, four trades guys that usually go in at different times, so they have to have...it has to be safe for them to enter and we don't know what the interior looks like...but you have to provide a hasp and a lock box, give them the code and then they can just go in and compile their reports. They send the completed documents.

Moermond:
It looks like it all started out with the City back in May, 2016, because the lawn wasn't being mowed. The inspector goes out, finds the property empty, and puts it in the Vacant Building Program. It's usually the first sign of abandonment. Not necessarily one, but if it is...

Calloway:
Newspapers pile up....

Moermond:
Newspapers pile up, grass gets tall.

OK, well we got it started. I am afraid, with the \$157 Excessive Consumption charge, I don't feel I have a choice, given the history on this property but to say it should be approved as it is. Hopefully you will be able to work with the siblings and get this thing unloaded, so it is less of a burden to all of them.

Calloway:
Thank you all, it has been most helpful and enlightening.

Referred to the City Council due back on 7/17/2019

Staff Reports

- 8 [SR 19-43](#) Review Deleting the Appealed Special Tax Assessment for property at 740 WASECA STREET. (File No. J1907E, Assessment No. 198307)

Sponsors: Noecker

File closed. Owner, Louis Yanez, did not appear.

Received and Filed

Special Tax Assessments-rolls

- 9 **RLH AR 19-51** Ratifying the assessments for Collection of Vacant Building Registration fees billed during February 13, 2018 to January 16, 2019. (File No. VB1909, Assessment No. 198816)

Sponsors: Brendmoen

Referred to the City Council due back on 7/17/2019

- 10 **RLH AR 19-50** Ratifying the assessments for Collection of Boarding and/or Securing services during February 2019. (File No. J1909B, Assessment No. 198108)

Sponsors: Brendmoen

Referred to the City Council due back on 7/17/2019

- 11 **RLH AR 19-52** Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during December 13, 2018 to January 11, 2019. (File No. CRT1909, Assessment No. 198209)

Sponsors: Brendmoen

Referred to the City Council due back on 7/17/2019

- 12 **RLH AR 19-53** Ratifying the assessments for Collection of Excessive Use of Inspection or Abatement services billed during December 26, 2018 to January 17, 2019. (File No. J1909E, Assessment No. 198314)

Sponsors: Brendmoen

Referred to the City Council due back on 7/17/2019

- 13 **RLH AR 19-54** Ratifying the assessments for Collection of Graffiti Removal services during February 1 to March 26, 2019. (File No. J1907P, Assessment No. 198406)

Sponsors: Brendmoen

Referred to the City Council due back on 7/17/2019

11:00 a.m. Hearings

Summary Abatement Orders

- 14 **RLH SAO
18-56** Making finding on the appealed nuisance abatement ordered for 1122 JACKSON STREET in Council File RLH SAO 18-47.

Sponsors: Brendmoen

Forthcoming.

Referred to the City Council due back on 6/19/2019

Correction Orders

- 15 **RLH CO 19-9** Appeal of William Shinn Jr. to a Correction Notice at 24 CONGRESS STREET WEST.

Sponsors: Noecker

Grant to November 27, 2019 for compliance.

Referred to the City Council due back on 6/26/2019

Orders To Vacate, Condemnations and Revocations (Code Enf)

- 16 [RLH VO 19-18](#) Appeal of Victor Clement to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 467 IVY AVENUE EAST.

Sponsors: Brendmoen

Owner to provide a work plan, timelines and costs for making the repairs.

Laid Over to the Legislative Hearings due back on 6/11/2019

- 17 [RLH VO 19-20](#) Appeal of Jose Flores to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 802 MOUND STREET.

Sponsors: Prince

Layover to June 11. (Inspection to occur on June 10th at 10 a.m.)

Laid Over to the Legislative Hearings due back on 6/11/2019

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations (Fire)

- 18 **RLH VO 19-17** Appeal of Kay Lovness, Chatsworth Properties LLC, to a Fire Inspection Correction Notice (which includes condemnation of Unit 7) at 1125 CHATSWORTH STREET NORTH.

Sponsors: Brendmoen

Grant the appeal on the condemnation and order to vacate the apartment's 2nd room with no windows, as the issue is resolved. (If owner wants to use the room as a bedroom in the future, the openings between the rooms must be at least 36 inches wide and this condition must be included in tenant's provisional lease)

Referred to the City Council due back on 6/26/2019

1:30 p.m. Hearings**Fire Certificates of Occupancy**

- 19 **RLH FCO** Appeal of Virginia Johnson to a Correction Notice - Re-Inspection Complaint
 19-62 at 277 SHERBURNE AVENUE.

Sponsors: Thao

Grant to September 20, 2019 to comply with the Correction Notice.

Referred to the City Council due back on 6/26/2019

- 20 **RLH FCO** Appeal of Bernetta Romero to a Re-Inspection Fire Certificate of Occupancy
 19-43 with Deficiencies at 456 LAWSON AVENUE WEST.

Sponsors: Brendmoen

Grant to July 1, 2019 for compliance or the tenants must vacate by August 1, 2019.

Referred to the City Council due back on 6/26/2019

2:30 p.m. Hearings**Vacant Building Registrations**

- 21 [RLH VBR 19-35](#) Appeal of Dimitri Hatzigeorgiou to a Vacant Building Registration Renewal
 Notice at 711 SIMS AVENUE.

Sponsors: Busuri

Appeal withdrawn by DSI. a 90-day fee waiver was granted.

Withdrawn