

CITY OF SAINT PAUL

OFFICE OF THE CITY COUNCIL

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August 10, 2011

Manuel Contreras
4716 – 92nd Street North
Brooklyn Park, MN 55443

EMAIL: manuelgc1954@gmail.com

Re: Order to Remove or Repair 620 Case Avenue
File ID: RLH RR-11-31

Dear Mr. Contreras:

You provided my office with several documents late last week, as background for your request that the City Council reconsider its Order for the Rehabilitation or Removal of your property at 620 Case Avenue. The Resolution issuing this Order was before the City Council on July 6, 2011. At that time, I noted for the Council that you had not addressed any of the 6 conditions which were expected for Council consideration. These were listed in a June 22, 2011 letter to you from Mai Vang. Because none of these items had been addressed by my deadline of June 28, 2011 for inclusion in the Council's packet, or by the time of the public hearing itself on July 6, 2011, I recommended that the City Council order the building removed within 15 days. The Council briefly discussed the matter and voted the building(s) be removed or repaired within 30 days. They also indicated that if you got all of your paperwork done and in to me within 30 days, they might be willing to look at the matter again.

I have reviewed the documentation you provided late last week and I have summarized it in the context of the 6 conditions listed above:

1. Obtain a new Code Compliance Inspection: an application for a code compliance inspection was made on August 4, 2011. *You indicated to me on the phone that day that you were aware this was a requirement; however, you did not apply for it earlier because you were unsure about financing for the project. This code compliance inspection could not be conducted for at least another week or two because of staff schedules. Had there been a timely application for this inspection, this would not have been an issue.*
2. Provide a work plan with timelines, including sweat equity in project and supplies on hand: *I have received no workplan, sworn construction statement or contractor bids indicating how this rehabilitation project would be executed;*
3. Provide evidence of a line of credit, construction loan/money in business account or an affidavit indicating intent to use the money toward rehab of this property (\$50,000-\$70,000 rehab): *you provided the following documentation::*



- a. *A US Bank savings account statement indicating a \$13,654 balance. Notably, the balance in the account includes a \$12,000 deposit posted on July 21, 2011. There was no account holder name in the documents.*
- b. *An HSBC account bill indicating available credit of \$2,197. George Wright is the account holder.*
- c. *A Home Depot credit card statement indicating \$6,800 available for purchase. George Wright is the account holder.*
- d. *A TCF checking account statement indicating a current balance of \$8,827. George Wright is the account holder.*
- e. *A TCF savings account balance of \$3,389. George Wright is the account holder.*

I am concerned about 4 aspects of the financing information provided. The first is that the total available amount of money is \$34,867 – significantly less than the City estimates of \$50,000 to \$70,000. The second is that when there is this type of discrepancy in necessary financing for a project, I usually look carefully at the work plan and contractor estimates to review how this may have come about. As there is no work plan, I cannot do this. Third, there is no affidavit indicating the intent to use these dollars for the rehabilitation of the property. This is especially critical for your situation, as it is clear that the money put forward includes the personal/household accounts of George Wright. Finally, it is not clear what type of contractual arrangement is in place providing for Mr. Wright's participation in financing the repairs. Because this is a Category 3 Registered Vacant Building, the property may not be transferred before the nuisance condition is abated.

4. *Pay the property taxes for 2010 in the amount of \$1,599.11 and the first half of 2011 in the amount of \$1,181.52, plus penalty and interest must be paid; The payment receipt indicates taxes are now current.*
5. *File the vacant building registration with the Department of Safety and Inspections and pay the vacant building fee: City records indicate that the vacant building fee for the May 2011 to May 2012 has not been paid and has been processed for assessment to property taxes.*

Unfortunately, when I take these circumstances together, I am not convinced the Council's action in this matter should be reconsidered. The Council did clearly vote that the building needed to be removed or repaired within 30 days. They also clearly indicated that they *may* be willing to look at the case again *if* all of the pre-requisites were addressed. Based on my review of the information you provided to me, I do not believe the paperwork was addressed in the time period the Council granted.

I am copying the City Council on this correspondence, so they may review this assessment.

Sincerely,

/s/

Marcia Moermond
Legislative Hearing Officer

cc: City Councilmembers (email)
Erin Dady, Mayor's Office (email)
Kyle Lundgren, City Attorney's Office (email)
Steve Magner, DSI-VB (email)