

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

AUDIO RECORDING  
CITY OF SAINT PAUL, MINNESOTA  
CITY COUNCIL MEETING  
IN RE: APPEAL OF JAMES W. BUSH AND LINDA D. DEAR,  
TENANTS, TO A RENT STABILIZATION  
JANUARY 22, 2025  
EXCERPTS - 40:23 - 46:12

TRANSCRIBED BY: MELISSA EICKEN

1 UNIDENTIFIED FEMALE: Item 50 is RLH RSA  
2 24-12. Appeal of James W. Bush and Linda D. Dear,  
3 tenants, to a rent stabilization determination at 1391  
4 Hazelwood Street, Apartments 10 and 11. And the  
5 public hearing was closed on this item.

6 COUNCIL PRESIDENT JALALI: All right. So  
7 this item is before us for action today. I'm going to  
8 pass it to Ms. Yang for further direction. Go ahead,  
9 Council Member Yang.

10 COUNCIL MEMBER YANG: Thanks, council  
11 president. Well, I want to say thanks to the council  
12 for the one week layover so that I can dig into this a  
13 bit more and also have conversations with Marcia, too,  
14 our legislative hearing officer. I do want to say  
15 thanks to the testifiers who came out last week. I  
16 know I see a couple of you in the crowd there today.  
17 This was -- just want to say, first, that this was a  
18 very complex issue that came before us, and I also  
19 think that it was the first time we had a rent  
20 stabilization appeal that -- that was like this  
21 situation here. And, so I just wanted to take some  
22 time to -- to do a recap, so that we're all on the  
23 same page, too, before I share my thoughts on -- my  
24 final decision on it.

25 So we did receive testimony last week. We

1 also received it this week, and I got a chance to  
2 review it again. The tenants indicated that they  
3 believed the rent increase which went into effect for  
4 them on August 1st of last year which is their current  
5 lease was in excess of the allowable 3 percent  
6 increase under our current ordinance, and this is a  
7 real concern for -- for them. I have studied it  
8 carefully, and I also have concerns as well.  
9 Essentially, the appellants, they would like for us to  
10 use -- they want the base rent level being used from  
11 the current lease to be adjusted downward by in  
12 consideration of the next increase. And, so what I  
13 mean by that is, as I was looking at the testimony  
14 from the appellants, their current lease right now  
15 shows that the increase for the rent including parking  
16 which is the garage, it was around 5.6 percent. And,  
17 so when you do take that into account, there -- that  
18 it does exceed the 3 percent. And they're asking us  
19 to, basically, adjust downward as we consider this  
20 next increase.

21 I -- unfortunately, I do think that  
22 incorporating the violation, the alleged violation, is  
23 beyond the scope of our decision which is about  
24 proposing the rent increase for next year. I think  
25 that there needs to be an investigation by the

1 Department of Safety & Inspection on the alleged  
2 ordinance violation. We haven't had information  
3 provided or examined to make this type of finding.  
4 Our role here is to hear the appeal of the staff  
5 determination rather than the acting as enforcement.  
6 I strongly urge the appellants to file a complaint to  
7 the DSI department which is the Department of Safety &  
8 Inspections, and I have also asked Ms. Moermond to  
9 follow up with them about this information as well. I  
10 think that the situation really drives home the need  
11 for administrative citations, which we took a vote on  
12 earlier. DSI has very limited tools to enforce this  
13 part of our ordinance, and if there is an ordinance  
14 violation, I know that -- I -- according to staff,  
15 most people come into compliance when told, so. When  
16 I said earlier that I share the concerns that the  
17 appellants shared, I mean, if I were the person doing  
18 the investigation and had all that documentation, I  
19 again would -- would determine that there was a  
20 violation of our ordinance, and I know that this  
21 council cares deeply about making sure that ordinances  
22 we approved of are complied with.

23 And, so this is definitely not something  
24 that I take lightly at all. And I would hope that  
25 through the investigation a determination is made

1 that -- that would conclude this matter, and also,  
2 there would be compensation of some sort to refund the  
3 amount that was overpaid, but again, all of that was  
4 being investigated by our staff, and I hope that  
5 that's something that will be followed through with.  
6 So again, urge the appellant to make -- take that  
7 initiative. And, so for administrative citations, I  
8 mean, I just think it's very timely and very  
9 coincidental that we voted on something like that as  
10 we are hearing this case before us and hope that you  
11 all will support my motion which is to -- which is to  
12 approve the recommendation from the legislative  
13 hearing officer. It would allow a maximum increase  
14 of 8 percent in rent, and that is inclusive of parking  
15 as a housing service. There has been language  
16 amended -- the resolution for this has been amended,  
17 but I just did want to add in one thing -- one of the  
18 things I wanted to make sure we put in was the date  
19 for the start of the next lease which is when that  
20 maximum 8 percent for rent can be applied. And, so  
21 that is August -- August 1st, 2025.

22 So Marcia, can you make sure that is  
23 included in the resolution language?

24 MARCIA MOERMOND: The -- that is included  
25 in the resolution language.

1 COUNCIL MEMBER YANG: Okay. Great. Thank  
2 you.

3 COUNCIL PRESIDENT JALALI: All right. So  
4 it sounds like motion from Ms. Yang to move the  
5 recommendation of the legislative hearing officer. I  
6 thank you, Ms. Yang, for taking the time to deliberate  
7 this. I agree that this case does raise the issues  
8 that you pointed out, and while the recommendation, I  
9 agree with, I do think that we should be examining  
10 that in ordinance going forward, so. Thanks for your  
11 thoughtfulness, and I'm supportive. Any further  
12 discussion? Motion from Ms. Yang to approve the  
13 recommendation of the legislative hearing officer in  
14 this matter, all in favor say aye.

15 (All said aye.)

16 COUNCIL PRESIDENT JALALI: Any opposed?

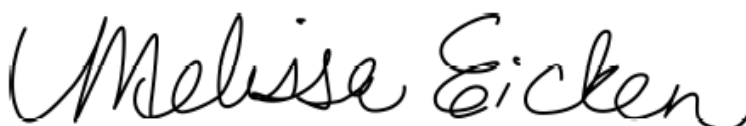
17 UNIDENTIFIED FEMALE: Seven in favor, no  
18 one opposed. The resolution is adopted as amended.

19 (Audio ended.)  
20  
21  
22  
23  
24  
25

## 1 CERTIFICATE OF REPORTER

2  
3 I, Melissa J. Eicken, Certified Court  
4 Reporter of Missouri, Certified Shorthand Reporter of  
5 Illinois and Registered Professional Reporter, do  
6 hereby certify that I was asked to prepare a  
7 transcript of proceedings had in the above-mentioned  
8 case, which proceedings were held with no court  
9 reporter present utilizing an open microphone system  
10 of preserving the record.

11 I further certify that the foregoing pages  
12 constitute a true and accurate reproduction of the  
13 proceedings as transcribed by me to the best of my  
14 ability and may include inaudible sections or  
15 misidentified speakers of said open microphone  
16 recording.

17   
18

19 Melissa J. Eicken, CCR, CSR, RPR  
20  
21  
22  
23

24 Date: 04/24/25  
25

<b>1</b>	<b>alleged</b> 3:22 4:1 <b>allowable</b> 3:5 <b>amended</b> 5:16 6:18 <b>amount</b> 5:3 <b>Apartments</b> 2:4 <b>appeal</b> 2:2,20 4:4 <b>appellant</b> 5:6 <b>appellants</b> 3:9,14 4:6,17 <b>applied</b> 5:20 <b>approve</b> 5:12 6:12 <b>approved</b> 4:22 <b>audio</b> 6:19 <b>August</b> 3:4 5:21 <b>aye</b> 6:14,15	<b>complex</b> 2:18 <b>compliance</b> 4:15 <b>complied</b> 4:22 <b>concern</b> 3:7 <b>concerns</b> 3:8 4:16 <b>conclude</b> 5:1 <b>consideration</b> 3:12 <b>conversations</b> 2:13 <b>council</b> 2:6,9,10, 11 4:21 6:1,3,16 <b>couple</b> 2:16 <b>crowd</b> 2:16 <b>current</b> 3:4,6,11, 14	<b>E</b> <b>earlier</b> 4:12,16 <b>effect</b> 3:3 <b>ended</b> 6:19 <b>enforce</b> 4:12 <b>enforcement</b> 4:5 <b>Essentially</b> 3:9 <b>examined</b> 4:3 <b>examining</b> 6:9 <b>exceed</b> 3:18 <b>excess</b> 3:5
<b>2</b>	<b>2025</b> 5:21 <b>24-12</b> 2:2	<b>D</b> <b>date</b> 5:18 <b>Dear</b> 2:2 <b>decision</b> 2:24 3:23 <b>deeply</b> 4:21 <b>deliberate</b> 6:6 <b>department</b> 4:1,7 <b>determination</b> 2:3 4:5,25 <b>determine</b> 4:19 <b>dig</b> 2:12 <b>direction</b> 2:8 <b>discussion</b> 6:12 <b>documentation</b> 4:18 <b>downward</b> 3:11,19 <b>drives</b> 4:10 <b>DSI</b> 4:7,12	<b>F</b> <b>favor</b> 6:14,17 <b>FEMALE</b> 2:1 6:17 <b>file</b> 4:6 <b>final</b> 2:24 <b>finding</b> 4:3 <b>follow</b> 4:9 <b>forward</b> 6:10
<b>3</b>	<b>3</b> 3:5,18		<b>G</b> <b>garage</b> 3:16 <b>Great</b> 6:1
<b>5</b>	<b>5.6</b> 3:16 <b>50</b> 2:1	<b>B</b> <b>base</b> 3:10 <b>basically</b> 3:19 <b>believed</b> 3:3 <b>bit</b> 2:13 <b>Bush</b> 2:2	<b>H</b> <b>Hazelwood</b> 2:4 <b>hear</b> 4:4 <b>hearing</b> 2:5,14 5:10,13 6:5,13 <b>home</b> 4:10 <b>hope</b> 4:24 5:4,10
<b>8</b>	<b>8</b> 5:14,20	<b>C</b> <b>carefully</b> 3:8 <b>cares</b> 4:21 <b>case</b> 5:10 6:7 <b>chance</b> 3:1 <b>citations</b> 4:11 5:7 <b>closed</b> 2:5 <b>coincidental</b> 5:9 <b>compensation</b> 5:2 <b>complaint</b> 4:6	
<b>A</b>	<b>account</b> 3:17 <b>acting</b> 4:5 <b>action</b> 2:7 <b>add</b> 5:17 <b>adjust</b> 3:19 <b>adjusted</b> 3:11 <b>administrative</b> 4:11 5:7 <b>adopted</b> 6:18 <b>agree</b> 6:7,9 <b>ahead</b> 2:8		



<b>housing</b> 5:15 <hr/> <b>I</b> <hr/> <b>included</b> 5:23,24 <b>including</b> 3:15 <b>inclusive</b> 5:14 <b>incorporating</b> 3:22 <b>increase</b> 3:3,6,12, 15,20,24 5:13 <b>information</b> 4:2,9 <b>initiative</b> 5:7 <b>Inspection</b> 4:1 <b>Inspections</b> 4:8 <b>investigated</b> 5:4 <b>investigation</b> 3:25 4:18,25 <b>issue</b> 2:18 <b>issues</b> 6:7 <b>item</b> 2:1,5,7 <hr/> <b>J</b> <hr/> <b>JALALI</b> 2:6 6:3,16 <b>James</b> 2:2 <hr/> <b>L</b> <hr/> <b>language</b> 5:15,23, 25 <b>layover</b> 2:12 <b>lease</b> 3:5,11,14 5:19 <b>legislative</b> 2:14 5:12 6:5,13 <b>level</b> 3:10 <b>lightly</b> 4:24	<b>limited</b> 4:12 <b>Linda</b> 2:2 <hr/> <b>M</b> <hr/> <b>made</b> 4:25 <b>make</b> 4:3 5:6,18, 22 <b>making</b> 4:21 <b>Marcia</b> 2:13 5:22, 24 <b>matter</b> 5:1 6:14 <b>maximum</b> 5:13,20 <b>Member</b> 2:9,10 6:1 <b>Moermond</b> 4:8 5:24 <b>motion</b> 5:11 6:4, 12 <b>move</b> 6:4 <hr/> <b>O</b> <hr/> <b>officer</b> 2:14 5:13 6:5,13 <b>opposed</b> 6:16,18 <b>ordinance</b> 3:6 4:2, 13,20 6:10 <b>ordinances</b> 4:21 <b>overpaid</b> 5:3 <hr/> <b>P</b> <hr/> <b>parking</b> 3:15 5:14 <b>part</b> 4:13 <b>pass</b> 2:8 <b>people</b> 4:15 <b>percent</b> 3:5,16,18 5:14,20	<b>person</b> 4:17 <b>pointed</b> 6:8 <b>president</b> 2:6,11 6:3,16 <b>proposing</b> 3:24 <b>provided</b> 4:3 <b>public</b> 2:5 <b>put</b> 5:18 <hr/> <b>R</b> <hr/> <b>raise</b> 6:7 <b>real</b> 3:7 <b>recap</b> 2:22 <b>receive</b> 2:25 <b>received</b> 3:1 <b>recommendation</b> 5:12 6:5,8,13 <b>refund</b> 5:2 <b>rent</b> 2:3,19 3:3,10, 15,24 5:14,20 <b>resolution</b> 5:16, 23,25 6:18 <b>review</b> 3:2 <b>RLH</b> 2:1 <b>role</b> 4:4 <b>RSA</b> 2:1 <hr/> <b>S</b> <hr/> <b>Safety</b> 4:1,7 <b>scope</b> 3:23 <b>service</b> 5:15 <b>share</b> 2:23 4:16 <b>shared</b> 4:17 <b>shows</b> 3:15	<b>situation</b> 2:21 4:10 <b>sort</b> 5:2 <b>sounds</b> 6:4 <b>stabilization</b> 2:3, 20 <b>staff</b> 4:4,14 5:4 <b>start</b> 5:19 <b>Street</b> 2:4 <b>strongly</b> 4:6 <b>studied</b> 3:7 <b>support</b> 5:11 <b>supportive</b> 6:11 <hr/> <b>T</b> <hr/> <b>taking</b> 6:6 <b>tenants</b> 2:3 3:2 <b>testifiers</b> 2:15 <b>testimony</b> 2:25 3:13 <b>thing</b> 5:17 <b>things</b> 5:18 <b>thoughtfulness</b> 6:11 <b>thoughts</b> 2:23 <b>time</b> 2:19,22 6:6 <b>timely</b> 5:8 <b>today</b> 2:7,16 <b>told</b> 4:15 <b>tools</b> 4:12 <b>type</b> 4:3 <hr/> <b>U</b> <hr/> <b>UNIDENTIFIED</b> 2:1 6:17
---	--	--	--

**urge** 4:6 5:6

---

**V**

---

**violation** 3:22 4:2,  
14,20

**vote** 4:11

**voted** 5:9

---

**W**

---

**wanted** 2:21 5:18

**week** 2:12,15,25  
3:1

---

**Y**

---

**Yang** 2:8,9,10 6:1,  
4,6,12

**year** 3:4,24