



City of Saint Paul

15 West Kellogg Blvd.
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Minutes - Final Legislative Hearings

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Tuesday, March 11, 2014

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 14-2](#) Ordering the rehabilitation or razing and removal of the structures at 349 CURTICE STREET EAST within one hundred eighty (180) days after the February 19, 2014, City Council Public Hearing. (Public hearing continued from March 5)
- Sponsors:** Thune
- Forthcoming. Owner/contractor need to provide account balance and affidavit letter from Mr. Soto that the money is going to be spent on the appliances and floor covering; account balance left to cover the remaining project by close of business on March 18, 2014.*
- RE: 349 Curtice Street East (Single Family)*
- Jeffrey Vandenbosch, owner; and Mike Braun, Antonsen Construction, contractor, appeared.*
- Ms. Moermond:*
- she reviewed the financial information that had been provided and whether the other conditions had been met
 - Feb 12, 2014 letter indicates that Ms. Nelson should provide information or a letter of commitment from the Bank on whether they would hire a management company to maintain the property; Antonsen has indicated that they will manage the property
 - she doesn't have an agreement between Antonsen and the Bank about doing this work
 - scope, timelines, work plan for the repair in accordance with the code compliance inspection report: she has a timetable but would like it to be more detailed
 - she needs a contract agreement between Antonsen Construction and Mr. Vandenbosch (Mr. Braun entered that into the record)
 - she also needs evidence to conclude the project: money for the appliances, floor coverings and deductible; she received an email from Mr. Braun indicating that Tony Soto would be providing financing to cover that amount but all she has is a 1 paragraph letter; she has no indication that he has the available funds to undertake the project (no bank account; no affidavit; etc.)
- Mr. Braun:*
- Mr. Soto has had a long standing relationship with Mr. Vandenbosch and Antonsen

Construction; he has a tree trimming service and Antonsen does a lot of referral work back and forth with them; his word with Antonsen that he will cover the extra costs is as good as it gets

- Antonsen Construction cannot cover peoples' deductibles; it's a type of fraudulent insurance activity
- Mr. Soto is Mr. Vandenbosch's cousin

Ms. Moermond:

- she needs evidence that Mr. Soto actually has the money (bank account; affidavit saying that he will provide that amount to cover the out-of-pocket expenses)
- the email from Mr. Braun does not indicate that Mr. Soto has the money to do this
- she is being especially hard on this one because it's been a problem property and she doesn't see that it's going to change from being a problem property
- she spoke with SPPD; they have significant concerns
- SPPD did say that Mr. Vandenbosch could go over and shovel the walk or clean up the yard, etc., and they didn't understand why he would have thought otherwise; the outside of the house doesn't have anything to do with illegally occupying the house; it's just basic maintenance;
- SPPD also did say that Mr. Vandenbosch did try to live in the property again, which is different

Mr. Braun:

- they sent one of their guys over to shovel
- they are willing and capable

Steve Magner, Vacant Buildings:

- noted that from a staff's point of view, it's important that everything is 100% ready to go before it goes to the City Council; otherwise, the hearing officer can't, in good faith, make a recommendation for a grant of time
- identified that they provided some type of contractual agreement
- normally, where a third party is providing funds, the city needs to have proof; if this were a Sale Review on a Vacant Building, they would expect a notarized statement from the third party stating this is who I am, this is why I'm doing it, and this is what I'm doing; in this case, perhaps there's a sum of approximately \$5,000 - \$6,000 (\$1,000 deductible plus \$4,000 - \$5,000 worth of additional costs for flooring and appliances) that need to be made whole; the hearing officer is looking for an affidavit that they have the ability to provide that amount of funds; in addition, there needs to be proof of his bank account that shows the necessary funds are available; Mr. Soto must have a business account; also, Mr. Moermond will be looking for a statement saying that this amount is dedicated to this project

Mr. Braun:

- appreciates Mr. Magner's clarification of what is needed from them
- doesn't have the exact amount of what the out-of-pocket amount will be but he is not nervous about it; Antonsen is confident that Mr. Soto will cover it
- he certainly can provide proof of finances and affidavit, etc. from Mr. Soto; within 48 hours, if necessary
- his estimate of out-of pocket expenses is \$4,000

Ms. Moermond:

- she can't recommend a grant of time until everything is in place

Mr. Braun:

- in order to take on a project like this, Antonsen has to be confident enough that they will be taking it to the end; get it finalized and in this case, appliances and flooring, to get it closed out completely

- whatever proof Ms. Moermond needs, he will be providing
- Mr. Vandenbosch's mortgage people think that Mr. Vandenbosch is in good standing; a foreclosure process has not begun

Ms. Moermond:

- took a short recess to read agreement between Antonsen Construction and Mr. Vandenbosch

Mr. Vandenbosch:

- he will make sure that he keeps his property well maintained

Ms. Moermond:

- goes back before City Council Mar 19, 2014 at 5:30 pm
- wrap up with the 2 remaining conditions by close of business on Tue Mar 18, 2014 and she will recommend granting time to do the project
- she will also ask Code Enforcement to be rigorous in their follow-up of the property

Referred to the City Council due back on 3/19/2014

2 [RLH RR 13-48](#)

Ordering the razing and removal of the structures at 521 EDMUND AVENUE within fifteen (15) days after the December 4, 2013, City Council Public Hearing. (Public hearing continued from January 22)

Sponsors: Thao

Remove the building within 15 days with no option for repair. (No one appeared)

RE: 521 Edmund Avenue (Single Family)

Steve Magner, Vacant Buildings:

- this is a layover; no one appeared at the last hearing
- since then, Ms. Moermond received an email that had been sent to Councilmember Thao in regards to this property; also, there was a letter from Bank of America that DSI received indicating that the Bank is not a party to this issue

Ms. Moermond:

- her understanding is that this is a MERS property
- several years ago, MERS began divesting their properties and were returning the ownership back to the bank; MERS was a place they would register their title so if it changes hands again, they wouldn't have to do a title change
- whoever filed their title with MERS hasn't been identified and the property hasn't been returned to them
- the city hasn't been able to establish an owner at MERS
- also, we have looked at alternatives like waiting until the property goes tax forfeit, which is at least 2 1/2 years out
- because, we can't find the ownership, the city can't get the title cleared to pass on to any other organization that would be able to do the rehabilitation; consequently, we are stuck
- based on that, she will recommend this property be removed within 15 days with no option for rehabilitation
- every single resource has been exhausted trying to figure out how this building could be fixed
- unless MERS decides to answer the city's pleas, the building will be removed

Referred to the City Council due back on 3/19/2014

3 [RLH OA 14-1](#)

Recommending that the Board of Ramsey County Commissioners

deny the application of Kerry Essler for repurchase of tax forfeited property at 663 LAFOND AVENUE. (Adopted April 2)

Sponsors: Thao

Deny the repurchase.

RE: 663 Lafond Avenue (Single Family)

No one appeared.

Steve Magner, Vacant Buildings:

- has reviewed the file*
- at this point, the Department of Safety and Inspections (DSI) recommends denying repurchase*
- they have a file open regarding the conditions, livability on the interior of the property; notes in the file indicate that this was a gross unsanitary property with a huge amount of materials inside; case workers were involved*
- the applicant, Kerry Essler, indicated to their staff that the property was to be vacated as of Dec 1, 2013*
- he questions whether they are still in the residence; they probably are because she indicated that this is their mailing address (acknowledged Feb 3, 2014)*
- technically, the State of Minnesota is the owner of the property*
- property forfeited Aug 1, 2013*
- a referral is open to the Fire Prevention Unit Jan 6, 2014; apparently, they have not yet been there*
- he needs to check this out*
- if the property is vacant, they will need to open a Vacant Building file; there is a Correction Notice on it from Sep*
- or, if the property is vacant/not vacant, they will need to a Fire Inspector out there*
- Fire Prevention should have followed up on the original Correction Notice and if there was noncompliance, they should have Condemned it and then, referred it back to his staff or the Vacant Building Enforcement; that didn't happen*
- he will have someone out there this afternoon or tomorrow morning and will get back to Ms. Moermond tomorrow*

Ms. Moermond:

- code enforcement information showed a history of municipal problems at this site*

Referred to the City Council due back on 4/2/2014

Staff Reports - 10:00 a.m.

- 4 [SR 14-26](#) Reviewing progress of rehabilitation for 586 RICE STREET.

Sponsors: Thao

Ms. Moermond denied owner's request for additional grant of time on the rehabilitation of the building. City will proceed with the demolition. If owner wishes to demolish the building, he or she must hire a demolition contractor to pull a demolition permit by March 14, 2014.

Received and Filed

1:30 p.m. Hearings

Fire Certificates of Occupancy**5** [RLH FCO 14-31](#) Appeal of Phoua Thao to a Correction Notice - Re-Inspection
Complaint at 1049 ARCADE STREET.

Sponsors: Bostrom

Deny the appeal and grant until May 1, 2014 to have a plan and permit submitted by an engineer. If the condition is met, Ms. Moermond will grant additional two months to July 1, 2014 for the downspouts issue to come into compliance.

RE: 10047-1049 Arcade Street (General Retail & Service-B-Commercial)

Phoua Thao and Jaa Yang, owners, appeared.

Fire Inspector Leanna Shaff:

- has some bids in front of her
- this lot is at the corner of Cook & Arcade
- the whole lot is taken up by the building except for a little bit of the back (west)
- there's a lot of water draining down the sidewalk on Cook
- she went over to look at 812 East Cook on a rainy day; a new inspector went with her; he used to be employed by a gutter company
- the house at 812 East Cook contributes minimally to the current drainage situation; however, she did write Orders and spoke with the owners about what is required of them to figure out something (it's a Certificate of Occupancy property); the Orders tell them to drain water away from structures and that the water from the roof could contribute to the water/ice on Cook Avenue's sidewalk; gutters should help remedy this
- Sela Gutter Connection wrote an email saying that they cannot help with this situation; an engineer needs to reconfigure the drainage (attached)
- Saint Paul does not offer alternative solutions, either; just review submitted proposals
- letter from JBE Inc (attached) suggests re-routing downspouts from the rear of the building (attached) or install PVC underneath the street (watershed problem)

Ms. Thao:

- they don't know what to do

Ms. Moermond:

- sounds like the best solution would come from consulting a structural engineer
- it can't continue
- will refer Appellants to get an engineer's report on how to handle this drainage situation

Ms. Shaff:

- she thinks that Sela's suggestion of getting an engineer is the only way to come with a solution
- an engineer who specialized in drainage issues
- re: complaint in system (Mar 5) says the roof is leaking inside the building; that some gutters are missing

Ms. Thao:

- that is not correct
- there was an ice dam in the back of the property; she called Johnson Milton to come out and remove the ice dam; they will come back again to check it

- Inspector Spiering came out and she met with him; he said that a Public Works employee helped him with the same kind of situation on 7th Street

Ms. Moermond:

- getting a permit for this may require getting both a plan review and a site plan review (Ms. Shaff concurred)
- and, the documents would need to be prepared by an engineer

Ms. Shaff:

- checking some history on this
- Mar 2013, there were exterior issues - some brick work was done
- Jan - gutters had separated creating a large icicle that melted creating ice on the sidewalk
- Jun 2010 - exterior wall and rooftop issues; tuckpointing done on the 1047 bldg
- would encourage having an engineer look at the whole picture

Ms. Thao:

- ever since she has owned the property, there have been complaints; some true; some not true; the ice issues were false complaints
- Inspector Spiering drives by a couple time a week and we've kept it ice free
- when there is truly a legitimate complaint, they fix it right away

Ms. Thao:

- use of bldg: 1047 is a beta store; 1049 is a wireless business; upstairs is apartments

Ms. Moermond:

- the inspector gave you until Mar 7, 2014 to comply; she will go out to May 1, 2014
- will recommend the appeal be denied and grant an extension to May 1, 2014
- the Appellants need to figure this out and get the work done under permit; an engineer will need to come out and put together a plan for the solution

Ms. Thao:

- asked for more time because she is having a hard time actually getting people to come out

Ms. Moermond:

- doesn't think that she will have that problem with an engineer
- if plans are submitted and a permit filled out by the engineer by May 1, 2014, then she will recommend granting 2 extra months to do the job

Referred to the City Council due back on 4/2/2014

6 [RLH FCO 14-41](#) Appeal of Ralph Moore to a Fire Inspection Correction Notice at 435 HERSCHEL STREET.

Sponsors: Stark

Deny the appeal to be out of the Fire Certificate of Occupancy Program and grant until May 9, 2014 to come into compliance with the items on the Correction Notice. If owner wishes to be out of the Fire C of O Program, he may provide proof that his son, per document, is part owner of the property; however, the exterior repairs would still need to be in compliance.

3/13/14: error in confirmation letter to Mr. Moore; PH should be April 16. Correction sent to Mr. Moore via email.

RE: 435 Herschel Street (Single Family)

Ralph L. Moore, owner, appeared.

Mr. Moore:

- he is not here to dispute; he is here because this property is a relative homestead, not a rental*
- his son, John Honnicutt lives there*
- in a general sense, he is dependent; there is no disability*
- John acquired title to this property about 15 years ago and Mr. and Mrs. Moore have been helping him make payments, etc.*
- for various financial reasons, they had him deed the property back to Mr. Moore and his wife*
- there is no tenant; there never was a tenant*
- nothing has ever changed; the same person has occupied it for the last 13 years or so*

Fire Inspector Leanna Shaff:

- Ramsey County doesn't list this property as a homestead*
- it was a homestead in 2012 but not in 2013 or 2014*

Ms. Moermond:

- the city talks about owner-occupancy not about homestead status*
- sees a mix of carpentry and electrical items on the list*

Ms. Shaff:

- there's deferred maintenance and permit issues*

Ms. Moermond:

- thinks this is not an owner-occupied property and should be in the Certificate of Occupancy Program*
- she doesn't see homestead status and Mr. Honnicutt is not dependent upon Mr. and Mrs. Moore*
- although there is no lease, per se, this is a question of tenancy*
- asked if Mr. Honnicutt is financially involved in this property in any way*

Mr. Moore:

- he was but the mortgage has been paid off and now, he pays for the taxes*
- the reason they transferred the title is to make sure that everything was taken care of because he is not inclined to do a great job in attending to these things*

Ms. Moermond:

- will recommend denying this appeal; this property should remain in the C of O Program*
- deadline for compliance is May 9, 2014*
- City Council Public Hearing Apr 16, 2014; they may look at things differently*

Referred to the City Council due back on 4/16/2014

2:30 p.m. Hearings

Vacant Building Registrations

- 7** [RLH VBR 14-10](#) Appeal of 762 Lightner, LLC to a Vacant Building Registration Notice at 762 LIGHTNER PLACE.

Sponsors: Thao

Change to Vacant Building Category 1 and waive the Vacant Building fee for 30 days for owner to get Fire Certificate of Occupancy re-instated.

RE: 762 Lightner Place (Single Family)

Greg Miller, Siegel Brill, attorney, appeared.

Mahad Farah, Chief Manager, 762 Lightner LLC, owner, appeared.

Tyrone Parker, maintenance person, appeared.

Fire Inspector Leanna Shaff:

- *Revocation of a Fire Certificate of Occupancy*
- *inspections were conducted by Brian Tonnancour*
- *complaint came in Nov 2013 about overgrowth of mold on walls due to water leaks*
- *photos in file*
- *Nov 22, 2013 - Inspector Tonnancour inspected the building*
- *Dec 6, 2013 - re-inspection; property owner was a "no-show;" tenant did not know about the inspection*
- *they turned it over to the Fire C of O Program because that inspection was due*
- *had a difficult time accessing this building*
- *appointment letters were sent 12-9 and 12-24-13*
- *were able to access Jan 2, 2014*
- *24 violations and compliance was not achieved*
- *they were given until Jan 10, 2014 to come into compliance; it didn't happen, so they Revoked the Fire C of O*
- *24 Orders still remain*
- *Jan 31, 2014 - inspector went back; repairs still hadn't been made, so, he enforced the Revocation*
- *Dec 24, 2014 - inspector wrote: tenant didn't get Notice from owner and wasn't going to allow access*
- *very concerning not getting cooperation about allowing access*
- *Jan 10, 2014 - "no show;" no answer at the door; open permits and construction debris*
- *Jan 31, 2-14 - "no show;" tenant is in process of moving out*

Matt Dornfeld, Vacant Buildings:

- *he opened a Category 2 Vacant Building file on Feb 4, 2014 per the Revocation*
- *at the time of his inspection, he documented that the tenants were in the process of moving out*
- *the house was open to entry*
- *he issued a Summary Abatement for garbage, junk, tires, scrap wood on porch and throughout the yard; the city abated it*
- *he posted VB placards; took photos*
- *issued a snow/ice letter for ice build up on the sidewalk*
- *Feb 10, 2014 - upon re-inspection, all violations remained; the sidewalk had not maintained; the junk, tires and scrap wood on porch and yard were still present; he issued a Work Order to have it abated*
- *he found the house secured and vacant*
- *have not issued a Work Order since*
- *Mr. Farah has called inquiring about the VB process; Mr. Dornfeld explained it to him and suggested he file this appeal*
- *Mr. Farah mentioned that he had pulled a building permit during the revocation process; it was finalized by building inspector Todd Sutter on Jan 23, 2014; the permit covered pulling off drywall and putting in new drywall*
- *Inspector Sutter noted that he approved the drywall and commented, "electric, ventilation and plumbing permits not needed; everything appears good" (from the*

walls that were opened)

- notes on Jan 31, 2014: he needs to talk to the building inspector about the structural stability of the addition; windows are not secure; he asked the tenants if the property owner insulated the wall (he did not see the insulation nor the studs of the exterior wall)

- he Condemned the main floor addition

Mr. Farah:

- they had issues with the residents not cooperating; they went back and forth with them every month, not getting the keys as they needed; each time they sent Notices about the inspection, they would not be home; when we called, they said, "Oh, we'll be home; you don't have to come."

- he trusted them to be home and sometimes he would send his maintenance person to oversee the inspection

- Mr. Tonnancour wanted to see Mr. Farah, personally; but that usually can't happen because of his schedule

- the residents are not giving them access to the unit and they don't want to break the housing laws

- tenants finally provided access and they pulled the permit; the work was all completed; the inspector did not mention anything about insulation

- Mr. Farah had been out of town for a family emergency and when he came back, he took care of everything

Mr. Parker:

- they worked on the corner wall about 8 x 4 and 8 x 3 - needed vapor barrier, insulation, dry wall, painted, textured, etc; the inspector came and approved it; he also checked the windows; one window needed to be fixed but could wait until summer

- the drywall was replacing walls that had mold on them; it was abated

Mr. Miller:

- his understanding is that the mold was abated and the building inspector reviewed it; the wall was vapor barriered, insulated and dry walled; then, painted, inspected, permit was signed off

- they did have a difficult tenant and it took some time to get rid of her

- when he spoke with Mr. Tonnancour, he got the impression that although he was kind and gentlemanly, he was exceedingly frustrated with the appointment issue; the "no shows"

- the work was done

- if this property goes to a Category 2, it will really be a financial disincentive to maintain

- asked if the work could be re-inspected by a fire inspector; Mr. Farah would make himself available for that inspection

Ms. Moermond:

- there were plenty of things on the list that weren't covered by the building permit; there are a lot of issues

- item #12 on the list - plumbing: drain pipe at the elbow in the basement is leaking sewage on the floor

- roof on south side addition is leaking into the inside of the property causing the ceiling to mold (will be repaired shortly)

Ms. Shaff:

- there are no plumbing permits pulled

Mr. Parker:

- a plumbing permit was not necessary because the elbow just needed to be tightened; there was no removal of parts

Ms. Moermond:

- if you have all of this done except for the roof, you should be able to get the Fire Certificate of Occupancy quickly
- she will recommend granting a 30 days extension to get the C of O
- if he gets his C of O in 30 days, she will recommend that the VB fee be waived
- windows need to be installed; extermination needs to be done; mold taken care of; furnace tested, etc.
- she needs a sign-off before a month has expired
- if there's no sign-off on the C of O, he will be in the VB Program as a Category 2

Referred to the City Council due back on 4/2/2014

8 [RLH VBR 14-11](#) Appeal of Nelson Capital, LLC to a Vacant Building Registration Notice at 608 WELLS STREET.

Sponsors: Bostrom

Change to Vacant Building Category 1 and waive the VB fee for 30 days for owner to get Fire Certificate of Occupancy re-instated with the exception of the retaining wall and fence which is granted until June 15, 2014; need a permit on the stairways in the rear of house (will not be charged for double fees).

RE: 608 Wells Street (Duplex)

Greg Miller, Siegel Brill, attorney, appeared.

Mahad Farah, Chief Manager, 608 Wells LLC, owner, appeared.

Tyrone Parker, maintenance person, appeared.

Fire Inspector Leanna Shaff:

- this is a similar situation; same story
- no access provided multiple times
- noncompliance multiple times
- 6 appointment letters were sent
- owner nor representative not present at inspections
- long-term noncompliance
- bad tenant

Ms. Moermond:

- asked what Mr. Farah planned to do so that he doesn't have any more problems with bad tenants

Mr. Farah:

- he will hire a company that does background checks for them
- they have 45 properties; the 2 properties being discussed today are the only ones with problem tenants
- on Nov 4, 2013, they showed up but the inspector was not there so, he called the city to find out what had happened; the inspector said that he had been there earlier at 9:15 am but the appointment was at 10 am
- a couple other times, the downstairs was in compliance; the upper tenant was difficult and they were able to evict them so that they could get the work done

Mr. Miller:

- it started with a complaint with the upper tenant, who was difficult and was ultimately, evicted

- the work was done; inspector asked to look at the lower unit where he found more violations
- there were a lot of inspections at this property but not necessarily the same issue
- at the last inspection, the stairs were good; the upstairs was good; the tenant wasn't there, as promised but he talked to Mr. Tonnancour that day and again, he was frustrated; Mr. Farah had called him and said that he'd be out of town; the tenant was supposed to be there but wasn't
- Mr. Tonnancour referred it to the Vacant Building Program
- the migrating violations started with the stair case; then, the upstairs, got that tenant evicted and did repairs; then, there were some repairs done in the lower unit and the re-inspection didn't get done

Ms. Shaff:

- received a complaint Oct 17, 2013: plumbing in the kitchen: sink leaks; faucet only works with a pliers; bathroom sink is also leaking; outdoor stairs leading to upper apartment don't seem to be well attached to the building - are shaky; screens need repair
- Oct 18, 2013: Inspector Tonnancour went out to inspect the complaint and issues Orders; also the Fire Certificate of Occupancy inspection had been due since May 2012
- this is and always has been a "C" rated building; and it should be done in 2012
- orders included: repair guardrail, plumbing fixtures in the bathroom and kitchen sinks, rear deck not sound (nails are popping everywhere)
- Oct 9, 2013: Inspector Tonnancour writes, "Property owner a "no-show; tenants claim they didn't know about the appointment"; issued Orders to allow access
- Nov 4, 2013: still not done
- Nov 15, 2013: property owner was not at property; gained entry; still open Orders; exterior Orders not abated
- Dec 19, 2013: asking for more time to complete the repairs
- Dec 20, 2013: leaves voice message for owner to call him back
- Dec 23, 2013: sheriff's dept went out to evict tenants
- Feb 14, 2014: property owner a "no show" and no answer at the door
- Feb 18, 2014: made contact with property manager - said they are in process of making repairs; sending it over to VB Program
- Feb 18, 2014: attorney for property owner called and stated that it's not the property owners fault for the "no shows" because the assistant property manager was supposed to meet at the property; owner claims that all repairs have been made

Mr. Dornfeld:

- Vacant Building Inspector Tom Friel opened a Category 2 VB on Feb 25, 2014 per fire inspector Revocation
- he documented a 1 1/2 story duplex partly occupied; tenant doesn't speak English in lower unit; spoke with owner briefly on the phone; he said that he thought he had more time
- spoke with fire inspector, who said that due to missed appointments and the condition of the house, it should be a Cat 2 VB
- attorney called for more info and that they will file an appeal
- he said that the house has a few defective screens but did not see many exterior deficiencies
- the Revocation lists a number of deficiencies: yard has some refuse; discarded table; debris; issued Summary Abatement
- Mar 6, 2014: Inspector Friel re-inspected; still appears occupied in lower unit; no answer at the door; the garbage issues have been resolved

Ms. Shaff:

- reads that on Mar 7, 2014, water service was shut-off; verified by Mr. Dornfeld

Ms. Moermond:

- the complaints were validated; there were problems

Mr. Miller:

- Oct 18 inspection listed the back stairs - that has been resolved

Mr. Parker:

- the inspector said that as long as the repair was less than \$500, a building permit was not needed; all that was needed was that the tread needed to be re-done and the nails were replaced with screws

- the fire inspector came and said that was just what it needed - strength - strong enough for fire fighters to come down stairs carrying someone

Ms. Moermond:

- disagrees with the building inspector on that; she thinks that he gave Mr. Parker incorrect information

Mr. Miller:

- initial inspection was for the back stairs and the handrail; then, the bathroom and kitchen sinks, which have also be fixed and re-inspected

- the basement and lower unit was not re-inspected because although, the tenants said they would be there, they were not; Mr. Parker does have that work done, however

- the lower unit was inspected at a later date and the items that were found deficient have also been completed

- the only items not completed are the exterior one

Ms. Moermond:

- reminded the Appellant that providing access to a building falls upon the owner, not a tenant

Ms. Shaff:

- doesn't see any permits having been pulled; she is assuming that the building inspector has not been at the building

- the fire inspector is still calling out the stairs - there are still issues; his notes say that he has serious concerns on the stability of the stairs to unit #2: the stairs are not stable; nails popping out - not attached to the structure; free standing on footings and 4 x 4s (Nov); these stairs need to be attached; he also says that the stairs are deteriorated (Mr. Miller: that was true in the Nov 4 inspection)

- a permit is always required when dealing with structural issues; it also includes parts and labor; the cost is based on fair market value

- there are all sorts of numerous problems here with this staircase

- Feb 14th letter still talks about stabilizing the staircase, issues with the guardrail, etc.

- Feb 14, 2013, Inspector Tonnancour came back and asked, "What do I do? It's the vacate date and they are still there." She told him to give them the weekend to get out - they don't kick people out just because the owner of the property doesn't take responsibility

Mr. Parker:

- that's the date the inspector said that the stairs were great; there are no loose treads; he put in deck screws; the handrail is sturdy; it's a very safe stairs

- lower unit had mold from a cold wall; he washed it and treated it and the mold is gone

- basement - there was a ground wire by the water intake; it needed a ground cable

to be connected to the pipe; he threw out boxes of stuff from the old octopus boiler that had been there at one time

- Mr. Tonnancour hasn't see that yet*
- he also did some caulking in the garage cracks*
- has not done the screens yet*

Ms. Moermond:

- she needs an inspector's eyes on in order to make a decision*
- the exterior items need more time: retaining wall, back fence*
- the exterior stairway is the only way into the upstairs unit (no one is living upstairs at this time); this is an important structural element so, it needs a permit pulled and a building inspector needs to sign-off on it*
- granting a 30-day extension to get the Certificate of Occupancy re-instated*
- the exterior items (retaining wall, back fence) can go to Jun 15, 2014*
- the exterior stairway, however, needs to be fixed first of all and needs a building permit*
- also, she is not sure that one can ground a wire without getting an electrical permit pulled by a licensed electrician*

Mr. Parker:

- they will get the work done*

Ms. Moermond:

- Mr. Farah will make sure that either he or Mr. Parker is present for all future inspections*
- 30-day waiver for the Vacant Building fee*
- she will make a call to the permit desk to make sure that they don't double bill for the building permit for the stairs*

Referred to the City Council due back on 4/2/2014

Window Variances: No Hearing Necessary

- 9** [RLH FOW 14-4](#) Appeal of Lisa and Jerry Roberts to a Correction Notice - Foster Care Inspection at 2132 NOKOMIS AVENUE.

Sponsors: Lantry

Grant a 4-inch variance on the openable height of the egress windows in the master and southeast bedrooms. (No hearing necessary.)

Referred to the City Council due back on 4/2/2014