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August 30, 2011

Ms. Marcia Moermond
Legislative Hearing Officer
310 City Hall
15 W. Kellogg Boulevard
St. Paul, MN 55101

RE: Appeal of fees for inspection of 868 Winthrop St. S.

Dear Ms. Moermond:

Since I will be out of state for the scheduled September 6 hearing regarding the fees for inspection that were assessed on the property at 868 Winthrop St S., your office advised me to write this letter to document the grounds for my appeal. My appeal is based on the fact that, for a property that has been consistently maintained, this inspector made an excessive number of visits to the property and cited an incredible number of small details, some of which had nothing to do with keeping the property in proper habitable condition. The large number of inspections and their follow-through were not done consistently and reasonably. This inspection process was in stark contrast to the certificate of occupancy inspection done a few years prior, which was straightforward and carried out in a single visit with follow-up.

The inspections, possibly numbering as many as 20, were carried out over nearly a year. The inspector sometimes showed up late or not at all, came on days that he was not scheduled to do so, and did not always make clear to me when an inspection was actually taking place. There were a number of times that I did not know what constituted a "formal" visit, when I needed to arrange for someone to be present, and when he was driving by to do an informal inspection. In addition, at no time was I informed of the cost of these inspections. The charge of \$475 seems exorbitant, considering the minute details of the citations and the fact that most of the corrections were done in good faith. Reinspections were, in part, based on a missing drain plug in a bathroom sink, a tenant's bicycle propped against the garage named as "debris harboring rodents," and a dog license citation based on a tenant and a dog that has since moved. Some of these citations involved tenants' free choice of how to live at the property, not things an owner should be policing.

Having had tenants at the property during the time of these inspections, I was in constant communication with them on the inspection status. They complained a number of times about the invasion of privacy and the intrusive nature of the inspections. There were times when the inspector visited the property monthly, measuring windows that had already been given a variance, checking drain plugs, and making judgments about the plant that were sometimes in error. For example, he stated that the gas shutoff valve was not up to code and, after I had to pay a professional to come out and check on it, admitted that it actually was fine. Though he never saw a dog, hearing it barking when he knocked on the door was reason to cite for a dog license. I attribute losing the tenant to the constant inspections.

Additionally, on August 28th of this year, I received a call from the Supervisor of Inspections after I filed a card where I explained some of my complaints. The Supervisor stated that if I was unable to attend or send a responsible adult to the hearing, that these fees would be assessed to my property taxes. She was rude and disrespectful during this call. As you know, her statement was totally untrue.

These are the reasons I am appealing the inspection fees assessment. I have no objection to paying the base fee, but this outrageous situation is completely unreasonable. I can be reached at the above address for further comment if necessary. For an immediate reply call my cell phone at (707) 548-4445

Sincerely,