



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

**Marcia Moermond, Legislative Hearing Officer**  
**Mai Vang, Hearing Coordinator**  
**Joanna Zimny, Executive Assistant**  
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**651-266-8585**

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Thursday, August 22, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

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#### 9:00 a.m. Hearings

##### Special Tax Assessments

- 1 [SR 24-129](#) Review Request of Ratifying the Appealed Special Tax Assessment for property at 99 ORANGE AVENUE WEST adopted by Council on August 7, 2024 under File RLH AR 24-50. (File No. J2420R, Assessment No. 248524)

**Sponsors:** Kim

*Delete the assessment.*

*Robert Monson, owner, appeared*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Lisa Martin: a Summary Abatement Order was issued January 4, 2024 to remove and dispose of the chairs, plywood, cardboard and debris from rear of property. Compliance date of January 11, 2024. Wasn't removed, work order was sent for a total assessment of \$353. No mail returned.*

*Moermond: tell me why you appealed.*

*Monson: the guy next door moved in during 1983. I moved in October 1987. In 1993 they moved in and built a fence, they moved out in 1997. He left the wood between my wall and his fence. It was on his side. He moved out and 2000 a Mexican couple moved in and have been there ever since. They didn't build the fence, and the wood just sat there, I didn't think anything of it. Sat there for 27 years. The two chairs I admit are mine. But the wood on the side, and the people dumping, the troublemakers, dumping stuff all the time, trying to break into garages. Leave buckets full of cement to block the alley. When the stuff fell over because the fence is wobbly, it came onto my property. I didn't notice that, because it wasn't on my property, then my brother said the fence was wobbly. It wasn't mine. My mailbox has been vandalized many times. I recently bought a locking mailbox; people have been taking mail and stealing things. I put a stop to that. That could be the problem too, I never got it. I definitely would have. I just had my house remodeled. I take care of the yard. Mow once a week. Mattresses have been dumped in the street, City has to come pick them up. It is a mess where el live. I've been graffitied. Lots of trouble over there.*

Moermond: graffiti on your property?

Monson: it was borderline, there's a retaining wall, mostly on his and the last letters on mine. Mostly on his. He cleaned it up. That's the opposite side of the fence.

Moermond: the City has a waiver form saying if graffiti shows up we'll send a letter cleaning it up but if you don't the City will and there is no charge. That's what that waiver is. Then in your own time it can be repainted the color I want. We'll give you one of those so you don't have to worry about a bill in the future.

Monson: guy got killed on Maryland with his dog. They've been taking the copper lights on the street. Stoplights and everything. Tin Cups got closed down because of drugs and gun fighting. Real close to my house. That's for sale. Everything is boarded. I've been shot at at the Holiday on Plato. It has gotten bad over there.

Moermond: and you're in there taking care of your house and I really want to say that is great and it is people like you who turn things around by being good neighbors and constants in the neighborhood.

Monson: I have a small cat named Coco; he was a stray. He's my buddy. I worry about him because the guy next door is mean to him. You can't be mean to animals I like that. Trap and poison him. The kids have no discipline, they run around all night. I had a big cat that got killed. The lawn is taken care of. Garage is repainted. That stuff is almost 30 years old. It fell down and came on my property.

Moermond: I want to let you know I want to work with you and I have a note saying you only want to pay for the chairs. I also want to tell you about the bulky item pickup you already pay for as part of the garbage system. I'm going to recommend this is deleted, but I also want Ms. Martin to tell you some things you can do to help prevent the dumping.

Martin: it helps to put up a sign that says no dumping, under video surveillance.

Monson: I've seen those.

Moermond: you may not want to let Coco out when you aren't there. I used to do that when I had a cat. I let her out and kept an eye on her. Sounds like you've talked to animal control, but you can let them know about an instance of animal cruelty. Explain what happened. They should be able to help you with that.

Monson: he's ok now. When they killed Mika—

Moermond: I want you to call, people need to be held accountable. I recommend this is deleted.

#### **Received and Filed**

**2**      **RLH TA 24-335**      Ratifying the Appealed Special Tax Assessment for property at 586 BURGESS STREET. (File No. VB2501, Assessment No. 258800)

Sponsors:      Bowie

Approve and make payable over 5 years.

*Tom Novak, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Lisa Martin: this has been a Vacant Building since 2020. We sent a renewal notice March 2024. April 1 the warning letter went out. Total assessment of \$5,077.*

*Moermond: Mr. Novak, tell me why you are appealing.*

*Novak: first of all, it is ridiculous the City is charging me this kind of money. They need to prove it is costing them this kind of money to take my home away from me. My house payment is \$2,900 a month. How can you afford that? I'm asking anyone, can they afford that? Why is the City being punitive in nature and forcing bankruptcy to put my house back together. The insurance money was good for one year. The contractor couldn't find any contractors during the pandemic. Insurance company said sorry, 366 days, you're out of money, we won't give you anymore. The price of materials skyrocketed. The amount of money I got was minimal compared to the costs. They wanted \$380,000 to put my house back together. I got \$139,000 from the insurance company. Contractor wouldn't do it because I couldn't afford him. I had another contractor steal \$20,000, took me 2 years to get that money back.*

*I'm constantly getting fees from the City to do this. It isn't helping me. I'm going bankrupt. I should have retired, I'm 67 years old, I'm working until midnight. I'm putting it back together little by little. If the City wants to steal my house, take it, that's what you're doing. \$12,000 in fees on my property taxes. It is ridiculous. I don't live on Summit where there's no trucks. I live within a mile of a truck zone. City trucks constantly going up and down my street. I'm getting nothing for my tax. I live on a couch at neighbors because I can't even stay there. I have health issues and everything. You just keeping taking more money. Burn it to the ground and you can have a piece of dirt. You're trying to rake me for every penny I have. \$169 from Department of Safety & Inspections for someone to drive by and say the house is still sitting there when it is kept up. We gotta pay the City budget to put in a 93-million-dollar bridge no one will use.*

*Moermond: Ms. Martin, what do those fees cover. My understanding is the Vacant Building fee is covering the cost of the inspection team that manages all the Vacant Buildings in the City and it recovers about 75% of the cost of running the program. Any insight into that?*

*Martin: you are correct. We do check on the buildings to make sure they are secure and maintained. We have lots of permits on this one that haven't been inspected, no recent Code Compliance. Lots of issues still.*

*Moermond: I talk to a lot of people who were underinsured coming into the pandemic. A lot of advice was going out for people to check their policies. I know I did that. You said you had a lawsuit with one of your contractors for \$20,000. Have you talked with a nonprofit who helps with rehabs? NeighborWorks for example?*

*Novak: I can't afford to buy materials because I'm paying \$2,900 month payments.*

*Moermond: they may be able to provide some financial relief to you in getting back into your house, so you aren't trying to every single thing with every single dollar.*

*Martin: Planning and Economic Development has loans or grants.*

*Moermond: I can make the recommendation this is made payable over 5 years. The Council will vote in January 2025. If they go with that recommendation, you'll get an invoice for 1/5th of this amount and if you pay it by November 2025, if you don't it will show on your 2026 taxes. A lot of grace in that period to help you get this more manageable. I don't want to create a burden but I am bound by the law as well.*

*I'd like to get you some referrals so things move more quickly for you.*

*Novak: how am I going to do that? I can't afford to buy any materials because I'm paying \$2,900 a month. I almost defaulted on my loan and had to get money from people to make my house payments. I guarantee none of you could make a \$2,900 a month house payment when you only take home less than \$4,000 a month. How am I supposed to buy things?*

*Moermond: I mentioned the nonprofit/CDC idea because they may be able to provide some financial relief in getting back into your house again. They do have financing program and that would be worth exploring so you aren't trying to do everything with every dollar. That would be a good thing to look into.*

*Martin: Planning and Economic Development for grants or loans. John Lee is at Planning and Economic Development and you can see if you qualify for any programs.*

*Moermond: we can also email you this information as follow-up.*

**Referred to the City Council due back on 1/8/2025**

**3 RLH TA 24-333** Ratifying the Appealed Special Tax Assessment for property at 1029 HUDSON ROAD. (File No. J2424R, Assessment No. 248530)

**Sponsors:** Johnson

*Delete the assessment.*

*Jessica Johnson o/b/o Mounds Theater appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Lisa Martin: March 7, 2024 a Summary Abatement Order was issued to remove and dispose of table, rugs, mattress, and miscellaneous debris from property. Compliance date of March 14. Rechecked and was still there. Total assessment of \$315. No contact or appeal filed. Some history here, garbage in 2023 and 2022 and graffiti in 2021.*

*Moermond: why are you appealing?*

*Johnson: I did call the inspector March 13; it looks like a minute long Voicemail explaining the neighboring apartment building was being gutted for sale and they put the stuff out and I wasn't sure what they ended up removing. It looks like the mattress was from their pile of junk. Someone removed the rest at some point. We generate no mattresses and do our best to get rid of them. I have a list of the stuff we've paid to remove in the last couple of years. We do our best. I guess that one sat there longer. I don't know what to say, it has been a lot and are hit regularly. The 2023 orders, was that the fridge?*

Moermond: yeah.

Johnson: there was a huge pile in 2022, we paid a bunch including four mattresses, love seat and futon. We pay to get them hauled away. We get pickup every 2 years. If I know we need to have something hauled, I call the inspector and let them know the trash day. I wasn't going there consistently then because we didn't have a lot of shows, so I didn't know that one was still back there.

Moermond: Ms. Martin, what do you suggest?

Martin: signs help, but we do have a program that will recycle these for free. I can send you the number. We do suggest you mark them pending pickup so inspectors know that.

Johnson: that's good to know. We end up paying for those.

Moermond: you can also reach out to Minnesota Mosquito Control to see if they can pick up any tires. All of this was taken care of aside from the mattress, and you are now aware of the mattress program. I'm going to recommend that this assessment is deleted.

**Referred to the City Council due back on 10/2/2024**

- 4 [RLH TA 24-334](#) Ratifying the Appealed Special Tax Assessment for property at 694 WESTERN AVENUE NORTH. (File No. J2424R, Assessment No. 248530)

**Sponsors:** Bowie

Layover to LH September 17, 2024 at 9 am. Staff to review Code regarding storage.

Andrea Schuelke, owner, appeared via phone

Law Schuelke, attorney, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: March 18, 2024 a Summary Abatement Order was issued to remove and dispose of a mattress, scrap wood from rear of property. March 25 compliance. Items remained and work order sent. Total assessment of \$436. No mail returned and no appeal filed.

Moermond: why are you appealing?

Schuelke: I have my attorney here and he will speak on it.

Law Schuelke: I assume you have the abatement order with all the pictures in front of you?

Moermond: yes, I do.

Law Schuelke: fantastic. Prior to the second to the last page, you can see the wood in question is in a soft dumpster bag. In St. Paul, the temporary containers, such as that, do not require a permit and are acceptable as long as they are entirely on private property. This was. The wood had been moved from where it was into a temporary

container; at that point it was no longer a nuisance and it had been abated. The amount of time, if you get a dumpster in the right-of-way, is 120 days. It is reasonable that a similar amount of time would be justified for one that is one private property. In fact, the mattress was also moved to be in the garbage pickup area, and a pickup was scheduled with the trash company to remove it. At the time that the alleged abatement happened, no abatement was needed. It was being properly stored and it was inappropriate for them to remove that dumpster from the property. Not only should there not have been an assessment, but in fact they improperly took a dumpster that belonged to us—belonged to Andrea.

Moermond: the order says in all caps: PLEASE REMOVE & PROPERLY DISPOSE OF THE MATTRESS AND SCRAPWOOD FROM THE REAR OF THE PROPERTY. Comply by March 25. You are saying that compliance with removal of the items from the rear includes simply moving them from one part of the rear property, three yards in another direction and placing the items in a dumpster or laying the mattress besides the garbage container. That's where you are coming from?

Law Schuelke: if there were bags of garbage sitting next to the garage and an abatement order was given, and they were moved to be properly placed into the garbage can, that would be properly abating them and the City would not come and take the bags out of the trash can, or in fact, take the entire trash can because it had garbage in it. I do not see a reason why a dumpster would be seen any differently than a garbage can.

Moermond: a Bagster is not a dumpster. I have to tell you, I've seen Bagsters exist so long the grass has died. Having it packaged up, thrown in a trailer or a dumpster, all of those solutions are halfway to getting the items removed from the yard. It is like loading it in a trailer. It is getting there, but it isn't gone. I credit a Bagster was there, but I also look and see orders were mailed March 18, and the items were still present more than 3 weeks later when the crew comes out on April 5. Dealing with the mattress and putting it by the garbage container, if you had made a call to them March 20, the hauling company would have as part of its regular service 2 bulky item pickup. There wouldn't be a charge. There's also a program we can share information with you about where mattresses can be picked up for free as part of the City's recycling program.

We're down to the question of whether abatement is moving things from one location to the next.

Law Schuelke: two points. A pickup for the mattress was scheduled for April 4. We don't know why the company didn't actually remove it. One was scheduled and should have been removed.

Moermond: was there any communication with the City about the difficulty of meeting the timeline?

Law Schuelke: not that I'm aware of.

Moermond: and no appeal was filed to ask for an extension?

Law Schuelke: no. I'd like to direct you to Public Works' storage container policy, updated July 13, 2022 which describes storage containers which includes flexible bags. It was properly stored in a flexible bag container that the City would give a permit for if it was the right-of-way for 120 days. It isn't required on private property. It didn't need a permit and was there properly and everything in it was properly stored.

*Moermond: I'm struggling because you're saying the permitting process in Public Works and the definitions supersede the nuisance abatement codes under which orders were written.*

*Law Schuelke: that's for something being improperly stored, and something in a garbage container isn't being improperly stored. That's the definition of properly stored.*

*Moermond: I'm not agreeing but I'm withholding judgment. I'm not included currently to go with your ask about the storage. I'm skeptical, but not opposed to looking at storage code more deeply. We'll revisit this and send you an email about the conclusion. Your Council Public Hearing is October 2.*

**Laid Over to the Legislative Hearings due back on 9/17/2024**

## 10:00 a.m. Hearings

### Special Tax Assessments

- 5 [RLH TA 24-320](#) Ratifying the Appealed Special Tax Assessment for property at 515 BEAUMONT STREET. (File No. J1501E, Assessment No. 258300)

**Sponsors:** Noecker

*Layover to LH September 17, 2024 at 9 am for further discussion.*

*Vang Thao, son of owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Lisa Martin: a correction notice was issued March 12, 2024 to remove garbage/recycling bins from boulevard. Lots of Excessive Consumption fees for the bins not being returned. One before us today is for \$169. At least seven Excessive Consumption fees have gone out from beginning of May 2024 to the end of July 2024.*

*Moermond: have yourself or your staff talked to Mr. Thao?*

*Martin: doesn't look like it. I haven't personally, no.*

*Thao: the trash bins are the neighbors. The dumping is my neighbors. Their driveway runs right next to mine. He just wheels his trash down and puts it on my side. I talked to Mai Vang and sent her photos.*

*Moermond: how long has this been going on? What kinds of steps have you been taking to work with them?*

*Thao: I've called the landlord and he told me to talk to the neighbor. I've done that so many times, and it goes back for a week or 2 then just happens again. It has been going on for almost 2 years that he's been putting his bins on my side of the street.*

*Moermond: the landlord wants you to manage his property and tenants, who are doing the behavior. HE's collecting the rent, so when I hear you say that I'm concerned you're not the one who should be in the position of managing that. It is really his problem.*

*Ms. Martin deals with this sort of thing a lot; can you tell me how the Department of Safety & Inspections handles situation like this?*

*Martin: we can give the owner of 509 a call. Most of the photos at 515 show it directly in front of 515 and the other cans are in front of 509, so it is hard to determine if someone is dumping unless we see it. There's not much we can do, but they do have garbage service at the other property.*

*Moermond: but this neighbor is literally moving their property onto his property. Not leaving a garbage bag, but it is still dumping.*

*Martin: unfortunately, with dumping the reason we have the garbage service the way we do is you can have some bulky items picked up if you contact your hauler. Often, if you see people dumping in your can you can call the St. Paul Police Department and let them know about illegal dumping, perhaps they will visit the neighbors if you have information. Sometimes people go through garbage and find other people's addresses to show it wasn't their garbage.*

*Moermond: right, with limited success.*

*Thao: the thing is, Waste Management doesn't pick up my trash on that side of the street. I live on the corner, so just because they move their bins in front of my house, where my house number is, they're going to charge me for it?*

*Moermond: when I look at the photos I see cans, but not bags on the ground, right?*

*Thao: yep.*

*Moermond: you're looking at a lot of money for those cans out there. Have you considered just rolling them to the other side? It has been going on a while. You shouldn't have to do that, but if you don't your stuck with the bill for being noncompliant.*

*Thao: I have to do that every week? Put mine out and move theirs too? It isn't my responsibility right?*

*Moermond: getting it off your property is your job from the City's perspective. Between you and the neighbor is a private argument. We can try to be of assistance, but we can't make it go away.*

*Martin: he's saying his cans are on Bradley and the only two cans on the other side are in front of 515 but it is reasonable to assume they're 509's if they're the only cans. I'll talk to the inspector before more Excessive Consumption fees go out.*

*Moermond: what happens between garbage days?*

*Thao: I'll talk to him and he will move it for a week, but after that he just comes out with the bags and throws them in the bids. They never go back up.*

*Moermond: you've got a bunch of assessments and some bills coming. I'd like to handle this in one conversation so we don't repeat this every couple of weeks. Let's talk again in a month. Then we'll have had a chance to talk to the landlord and make sure we have all the bills and assessments together to handle it as one.*



Thao: yes.

Moermond: we'll confirm by email but we'll talk to you September 17, between 10 and 11:30 am.

**Laid Over to the Legislative Hearings due back on 9/17/2024**

- 6      **RLH TA 24-330**      Ratifying the Appealed Special Tax Assessment for property at 412 CASE AVENUE. (File No. 2501T, Assessment No. 259000)

**Sponsors:**      Kim

Approve and make payable over 10 years.

*Voicemail left at 11:25 am: I'm trying to reach Roxanne Tigue. This is Marcia Moermond from St. Paul City Council calling you about your appealed tax assessment for tree removal. Most people are simply asking for it to be made payable over 10 years. We can do that, or we can discuss further if you need too. Please call Mai Vang at the appeals line and we can schedule for another hearing or can confirm the number of years.*

*[Note: appellant called staff after hearing and confirmed her request was to make payable over 10 years - JZ 8-29-24]*

**Referred to the City Council due back on 1/8/2025**

- 7      **RLH TA 24-325**      Ratifying the Appealed Special Tax Assessment for property at 500 JACKSON STREET. (File No. J2501P, Assessment No. 258400)

**Sponsors:**      Noecker

Delete the assessment (waiver on file).

*Moermond: there is a waiver on file for this property, it shouldn't have been assessed.*

**Referred to the City Council due back on 1/8/2025**

- 8      **RLH TA 24-336**      Ratifying the Appealed Special Tax Assessment for property at 2111 UNIVERSITY AVENUE WEST. (File No. J2501P, Assessment No. 258400)

**Sponsors:**      Jalali

Delete the assessment (waiver on file).

*Moermond: there is a waiver on file for this property, it shouldn't have been assessed.*

**Referred to the City Council due back on 1/8/2025**

### Special Tax Assessments-Rolls

- 9      **RLH AR 24-76**      Ratifying the assessment for Collection of Vacant Building Registration fees billed during December 20, 2023 to March 20, 2024. (File No. VB2501, Assessment No. 258800)

Sponsors: Jalali

Referred to the City Council due back on 1/8/2025

- 10 **RLH AR 24-77** Ratifying the assessment for Securing and/or Emergency Boarding services during April 2024. (File No. J2501B, Assessment No. 258100)

Sponsors: Jalali

Referred to the City Council due back on 1/8/2025

- 11 **RLH AR 24-78** Ratifying the assessment for Collection of Fire Certificate of Occupancy fees billed during October 6, 2023 to April 26, 2024. (File No. CRT2501, Assessment No. 258200)

Sponsors: Jalali

Referred to the City Council due back on 1/8/2025

- 12 **RLH AR 24-79** Ratifying the assessment for Excessive Use of Inspection or Abatement services billed during February 22 to March 21, 2024. (File No. J2501E, Assessment No. 258300)

Sponsors: Jalali

Referred to the City Council due back on 1/8/2025

- 13 **RLH AR 24-80** Ratifying the assessment for Graffiti Removal services during April 9 to May 16, 2024. (File No. J2501P, Assessment No. 258400)

Sponsors: Jalali

Referred to the City Council due back on 1/8/2025

- 14 **RLH AR 24-81** Ratifying the assessment for Removal of Diseased and/or Dangerous Tree(s) service during May to June 2024. (File No. 2501T, Assessment No. 259000)

Sponsors: Jalali

Referred to the City Council due back on 1/8/2025

## 1:00 p.m. Hearings

### Vacant Building Registrations

- 15 [RLH VBR 24-54](#) Appeal of Chad Chahov to a Vacant Building Registration Notice and Notice of Condemnation-Unfit for Human Habitation-Order to Vacate at 1546 WILSON AVENUE.

Sponsors: Johnson

Layover to LH September 3, 2024 at 1 pm for further discussion. Property manager to

*clean sump pump, confer with building inspector re: vapor barrier prior to next hearing.*

*Chad Chahov, property manager, appeared*

*Staff report by Supervisor Leanna Shaff: August 6 we received a complaint sewage water was coming up through the basement. Inspector Chute went out the same day. He reported there was water intrusion and a foul order. He called the Responsible Party and advised of immediate condemnation for sanitary purposes. He went back August 7 to post notification for the tenants, which is common practice. August 13 he went back for reinspection. We were told the work was done. We were unable to verify the repairs were completed. Permits are on file but no inspections done prior to completion. We were invited back by the complainant on August 15 and allowed the access. You could still smell sewage at that time. It was described as being overbearing. No movement on permits other than being pulled. There was also an area Inspector Chute wasn't able to have access too initially that has mold on the bottom of the panels trim and trim boards. The plumbing permit was pulled on August 9 and on August 9 a building permit for drywall and fixing cement floor. There is a note in the building permit it was done without inspection and drain tile and pump were installed without permit or inspection, and may need electrical.*

*Moermond: the building permit said building permit – finalized with corrections?*

*Shaff: you could see in the photos there are some issues.*

*Chahov: plumbing permit is scheduled.*

*Shaff: the building permit says 8/20/24 met with owner with some pictures onsite—looks like he wrote in the wrong permit.*

*Moermond: plumbing was approved to pay but nothing other than that.*

*Shaff: mine says active/issued. Install sump pump. As of yesterday. It is waiting for inspection.*

*Staff report by Robert Humphrey: we opened a Vacant Building file immediately.*

*Moermond: have you been out there at all?*

*Humphrey: Inspector Hesse was out and noticed a strong order and also a pool full of stagnant water in the back yard.*

*Moermond: was the pool fenced?*

*Humphrey: emergency Summary Abatement Order was ordered today to empty the pool.*

*Moermond: what's the deadline?*

*Humphrey: will be done first thing tomorrow morning if it isn't done by owner. It is Category 2 referred by Fire. Photos show a lot of work going on without permits. I do see 2 permits were pulled prior to it being declared a Vacant Building. Pulled August 9, but not paid until August 20.*

*Chahov: August 6 I got a call from the inspector saying it was condemned due to*

sewer backup. I went over the same day, he said he'd wait for me. I drove from south Minneapolis, took me some time, he'd left. I saw water in the basement from the rain, not from the sewer. I flushed toilet and everything. You can see August 5 it rained hard. We never had this problem on that corner, this was the first time. I took my maintenance guy. There is drain tile and must be clogged or something. I need to fix it, no such thing as pulling permits at midnight. We stabilize and go pull permits the next day. I called multiple times, I talked with someone on the phone about what was going on. I submitted the photos of where I cut the sheetrock. Some said it was cosmetic. There's no foundational work. I called the inspector and he said to call and ask if a permit was required. At the same time, I am doing the work, no matter what. I had to do the work. The inspector told me he'd give 72 hours to stabilize and he'd remove the condemnation. We fixed the pipe; it was clogged with some dirt. Now the sump pump can drain. That pump was failing. We do that. I call the City; we pulled the plumbing permit. Two permits, the old Certificate of Occupancy permit from the month before. That's for the wobbly deck. We found the foundation of the deck didn't have a slab. I went and we poured foundation, I want to do it correctly. He said I didn't see it was 3 feet, I had to dig next to it to show him. That's a separate deal, and I have an inspection scheduled for that too. The only two permits attached to this subject is the building permit for inside and plumbing permit. In 72 hours I stabilized the house, pulled the right permits and the general contractor came to inspect the deck so I let him inside the house while he was there. It was dry at that time but told me I shouldn't have sheet rocked yet. I will do the work right.

August 6 we have this problem. 72 hours to fix. Friday August 9 the inspector was supposed to come back at 1 pm. Permit was pulled before that. 2:30 no one had showed up yet. I tried to call multiple times. I finally called the City. Asked if someone was coming. They said they would call the inspector, which was 2:30. He called me back. I said I've been waiting; I'd stayed until 10 the night before working. At 2:30 he tells me there is an appeal filed. They called me and said so. It wasn't filed by me. Something is fishy.

Moermond: as far as I know he filled out the form Friday but didn't have the money. He filled out the form and actually left with both the form and our clipboard. I think staff immediately informed staff due to the immediate enforcement. I think things kind of got turned around.

Chahov: on Friday I am now mad. Hour and a half no one called to say I'm not coming. I called and spoke to the inspector supervisor and she said it is normal to wait an hour and a half. I said my time is not valuable? Then I called her manager. She was so professional. She apologized for that. Someone should have called you. I wasn't the one who filed the appeal. She was pretty professional and said she'd talk to staff. I wouldn't expect someone to tell me an hour and a half is normal. So, no inspection Friday. I asked him to come, I'm finished. He said he could come Tuesday the 13th. I showed up at 11:00 and waited. Went inside and he gave me, after the inspection, no water because the sump pump is working, there's also drain tile. It is pumping the water outside. No water inside. It is dry. The tenants were so happy they could stay. The inspector removed the condemnation. He told me to take the condemnation and I could keep it as a souvenir. What a great souvenir. I need to close those two permits. Because I have property at 869 Beech Street, which is also his inspection.

Moermond: I can only deal with this property. I understand you are frustrated and I respect that. I'm wondering, can you tell me about the permits and repairs ready to be inspected. We have reports of the air still smelling bad. What's being done.

Chahov: *it is totally done. The smell, water was sitting before, it needs to drain so it can dry out more. The smell is coming from that water. That's what is happening. It takes time to drain back. There was no smell, that's why he removed the condemnation. I called Ms. Shaff and said he shouldn't have done that. He is here, you can ask him. You remove the condemnation and the tenant is occupying. Then later on he moved the inspection for the other property to August 15 and I was with him, and instead of telling me he was heading there to inspect, he went straight over there. It was retaliation because I called the supervisor.*

Moermond: *have you emptied the pool in the yard?*

Chahov: *I didn't know. I will take care of it today. It isn't ours, but I will take care of it.*

Moermond: *The fence isn't adequate. Kids fall into pools. Is it stagnant icky water? Yes. Ms. Shaff, lots of testimony. My packet has photos from the 13th.*

*[photos shown on computer]*

Shaff: *note the deteriorated walls.*

Chahov: *I can fix it, but that isn't the cause for condemnation of a house.*

Moermond: *I see some accurately documented code violations. But no, I didn't see water. You're talking and I'm asking Ms. Shaff more information to decide what kind of path forward can we do to get this ok. We do have people living there still. I need to have assurance that it is safe and healthy for them. It sounds like you're willing to work with the City. You've pulled permits, you are taking action. Now, what do we do to wrap this up? If there are orders that can't be done right away, or are not life-safety issues, we can talk about a work plan for getting things done. I need to have as much understanding as I can about the critical life-safety issues and follow up from Ms. Shaff on that. Anything about communication that may be helpful? I would love to hear.*

Shaff: *when we require permits, we are not the inspectors for them. When we have water intrusion, soaked drywall and paneling. For us a sign-off is that the work is completed, and it is not completed until the permits are closed. When I see there are corrections that say things need to be opened up, then I'm looking for that to be done. People think they know how to fix things, and then it isn't done correctly. It happens all the time. That's why we have trades inspectors. That's what I am looking for. When the inspector states the smell is unbearable that tells me something else is going on there. I wouldn't expect anyone to continue to be in a place with a smell like that. Typically, when we are looking at a mold issue, or sewage, bad smell equals bad for me. I don't expect people to continue living in that.*

Moermond: *dogs toileting in the house is another example.*

Shaff: *right, or a wet situation with wet carpet or flooring that causes mold growth that isn't treated properly.*

Moermond: *and you were waiting for the building permit to be finalized on the wall repair before coming to a conclusion it was dealt with.*

Shaff: *that, and also the sump pump. Until a couple of days ago it was just approved to pay which means it was applied for but not issued.*

*Moermond: we're getting there, but not there yet. Bureaucracy catching up with what has already happened.*

*Chahov: she's off subject. There's no inspector to inspect. I called them—*

*Moermond: if she's answering the questions I'm asking, then we are fine. We'll be right back with you.*

*Chahov: she's so off. Anyway.*

*Moermond: let's try and be respectful of one another. Ms. Shaff, any other comments on those questions?*

*Shaff: no. I'll reserve that.*

*Moermond: you were talking about permits?*

*Chahov: I have been doing this 12 years. I know what I am doing. I am sorry you think I'm this 1% that maybe I don't know what I am doing. The floor is vinyl. That doesn't mold. It is plastic. We put it in last year. Underneath the floor is cement. We cut it and cut the sheetrock. It is brand new. That doesn't mold. The sump pump was installed the same day when we had the incident. We did it so we could drain the water. The plumber pulled a permit for that. He has a license; I don't think you know more than a plumber. When you start trying to make excuses, I know she is retaliating. I know that 100%. That's what makes me mad. I am not trying to do that. I am trying to do the right thing. That's why I called the manager and asked her about the hour and a half waiting. That's where it made me not happy, somebody lying. Mold will happen when someone isn't doing anything about it. When water sits or continues to drip, that's when mold happens. When we cut the sheetrock, I am doing the right thing. Behind that it is cement walls. That won't mold like plaster. I am taking the right action. It is more important to keep the tenant in a good spot than anything else. When she is asking about permits, when I call the inspector and he tells me they won't inspect unless they pull permits. How does she expect me to close a permit in 2 days? Is that a realistic expectation when she knows she has short staff, but all other people are full staff? That is not normal expectation. City has to help their citizens. Provide them with information. They don't put obstacles there for them.*

*Moermond: you have a plumbing inspection scheduled.*

*Chahov: I scheduled the building inspector too, but he cannot come until next week—the 29th. His name is Steve. I'm willing to do whatever. I'll do the work. But deal with me as a human, not like a dog and pat me on the head.*

*Moermond: everyone has talked about the smell. You talked about that being due to the water still in there and not flushing all the way through. Is there something you can do to expedite that? That smell is bad air. There is bacteria, mold, fecal matter. Things in the air you don't want in an enclosed space. That sounds to me like one of the significant problems that remain. Tell me how you can address and get that under control.*

*Chahov: the only thing I can do, I can flush more water through the pump to just clean. Use a bucket and throw a bunch of bleach in there. Anything outside, there's no smell. I'm willing to let them stay in that room if they want to. Whatever a logical solution is. Even if they want to move out I am willing to let them out of their lease. They are trying*

to condemn the property for something---every house in Minneapolis and St. Paul will have this kind of problem. We are acting above where we should. We all agree it needs to be fixed. We are trying to do it and fix it, but charge me \$2,500 when it isn't vacant and condemn it? That is ridiculous.

Moermond: I'm withholding judgment on the condemnation piece because that was a determination that was made upon the conditions as they existed when first inspected. That isn't a decision from today. The Vacant Building fee can be dealt with. As I work through cases similar to yours I like to give a window for people to get the corrections done and avoid the Vacant Building fee so that money can be applied to bringing things up to code. That's a window and it needs permit sign-offs. I would be most comfortable if there could be a walk through by a Fire Inspector doing an assessment of where things are that they are responsible for, knowing other things will be handled by the trades inspectors. I would like to say that I know a majority of Fire Inspectors are also certified building officials with State certification to speak to these items and write a lot of it. There are qualifications that they have, and I know that Ms. Shaff has them. Is she a plumbing inspector? No. Does she have letters behind her name? Yes. The building permit is its own thing. Plumbing its own thing. But I wanted to round that out.

Let's talk about availability of an inspector. It is accurate they are extremely short staffed. I know this is pressing as well for you---please, no more faces, I'm working with you here---

Chahov: that's what they told me! And that's what 72 hours came to, pull permits and get it done. That's why the inspector was supposed to come Friday and he came on Thursday---

Moermond: I understand, and right now I'm running the process. We're going to try and deal with it. They're short staffed, you have an occupied property you are working on keeping habitable for the people living there. I'm assuming all parties are approaching this with good will and good intent. In terms of checking off the sanitation component, what are you concerned about Ms. Shaff? Life-safety issues that aren't covered by permits.

Shaff: when I see paneling, it is supposed to have drywall behind it. I don't know what's going on behind there. I don't know how it was finished. So, when I see discolored, wet paneling, it needs to go away. Building aspects, I would love to see this occupied. Other than the normal habitability and life safety things like emergency egress and rescue openings, smoke alarms, carbon monoxide alarms, everything needs to be working for its intended purpose.

Moermond: I'm scanning through the list and I think the one that speaks to wetness behind or in sheetrock or paneling is item 4 on the list. I hear you complying with the sheetrock part of it. What's your assessment on the paneling?

Chahov: I'll take it off eventually and see what's behind it. That's not the problem, the problem is in the room you took photos in. I don't know what happens in your house if you don't tell me. That's normal. I'm a manger but I don't live with you. If the tenant doesn't report about certain things, it was behind their couch, I didn't even see it. I was working on the problem the City came for. Now we are shifting to another thing, which is fine. I can fix it. In the past, they had some water coming in that side because of the grading. I have photos, and we did that grading first. If something was happening inside and no one reported it, how would I know? That's normal. It has its Certificate of

Occupancy inspection, so I'm still dealing with the deck. That's why I pulled the deck permit. It is the same building inspector for both, and who is coming out on the 29th. I'm ready to paint and put the trim on, but I will do the right thing. I didn't know that. No inspector will come in 2 days, it is crazy. At least a week is minimal. If you put yourself in my place, I'm going above and beyond what a person can do to get it done. And correctly. That's most important for me. Second is getting it done fast. The sump pump installation was in the picture, you can take it to any inspector and they will say no. It is a motor and pipe and backflow. 8 feet away from the property. That's what a sump pump is.

Moermond: I'm familiar.

Chahov: I'm saying, we don't want to make it rocket science. It isn't rocket science.

Moermond: no, it is just gravity. August 29 is the inspection. I do see—

Chahov: he didn't talk to me yet about the sheetrock. He came to see the deck and I asked him to see the sheetrock and he said he didn't know what is behind it. I said it is slab, you can see from the outside. If you want me to remove it, I will. If you want me to make a hole and show you. I don't care. I just wanted it done.

Moermond: first, don't pay the Vacant Building fee right now. Second, I'm going to strongly encourage you to thoroughly flush that sump pump. If there are parts that have biological matter that continues to smell, let's get that out of there. If that is the source of the smell, then let's get that taken care of.

Chahov: one thing—the sump pump inside, the bucket, was replaced because we saw it was still smelling. It sucks from the lower end. We replaced it even after he came and removed the condemnation. My goal is I want the house to look nice.

Moermond: I understand. And my goal is to keep it as a healthy, livable environment. I know inspectors are back-logged. I'm trusting things are moving in the right direction in terms of you doing the repairs. I'm trying to figure out what I need additional assurances about and how much can I wait on to hear more. Let's talk Tuesday, September 3.

Chahov: is there any way we can do it sooner? I have a lot of housing at U of M, it's the end of the month.

Moermond: I want to give it enough time for the building permit to be reviewed and signed off. You don't have to come in person if we're getting close. I will ask the building inspector to assess the air while he's out there. I need to put in place a deadline for the less concerning life-safety issues. 1:00 Tuesday, September 3. In the meantime, you are flushing the system, getting inspections—both plumbing and building if possible. Let's get this squared away.

Chahov: regarding the sheetrock; I don't have an answer yet. They told me they would look into it and tell me. I don't have an answer. I'm leaving it as is for now. The inspection is for the deck, not inside.

Moermond: and you want an answer about the sheetrock.

Chahov: I told him I sheetrocked it the same way it was. Between the cement wall and sheetrock there is a 2x1" and I did it the same way. A vapor barrier between the



sheetrock and the wall. If he let it go without that, then it is done.

Moermond: I would assume you need a vapor barrier there.

Chahov: it wasn't there in the past.

Moermond: you want to do like for like, but when a wall comes apart the new code applies. I can't waive that expectation, that's the building code. I can only deal with property maintenance code and fire code. Electrical. Framing. It has to be 2024 standards which do require a vapor barrier.

Chahov: I go by the law, but to a certain extent sometimes you have to do the right thing.

Moermond: enforcement for the order to vacate is stayed through September 3 at least. Get those inspectors out there. Sump pump flushed. Drywall answers. Vapor barrier is required. I knew that and I'm not a certified building official.

Chahov: that's fine.

Moermond: you need to talk to the building inspector about what he needs. Sometimes a photo is ok.

**Laid Over to the Legislative Hearings due back on 9/3/2024**