



**CITY OF SAINT PAUL**  
OFFICE OF THE CITY COUNCIL  
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Marcia Moermond, Legislative Hearing Officer  
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March 2, 2022

Yer Yang & Lee Kay  
930 Minnehaha Avenue East  
Saint Paul MN 55106-4533

VIA US MAIL

Re: Water Appeal for Property at 463 Como Avenue

Dear Lee Kay and Yer Yang:

At the Legislative Hearing on October 19, 2021, you appealed the \$4,644 outstanding bill water bill for 463 Como Avenue. My sincere apologies for the lateness of this response. I have reviewed the matter and made the following findings:

- 463 Como Avenue is a commercial building which has been the City's Registered Vacant Building Program since May 25, 2021. It appears that the City's Fire Certificate of Occupancy was revoked a year earlier, on June 11, 2020.
- The water leak occurred at the property between February 26 and May 27, 2021. The rate of the leak was consistent with the amount used when a toilet is continuously running.
- During that 3-month period, 458 units of water was used, resulting in a bill of \$3,801.14.
- When Saint Paul Regional Water Services (SPRWS) staff became aware of the leak based on the regular quarterly reading of the meter, they tried to call you and were unable to reach you, so they sent a letter.
- On June 10, 2021 SPRWS staff shut off the water. However, it appears the use of water at the property did not stop entirely until July 3.
- 239 units of water were consumed between May 27 and August 27, 2021, resulting in a bill of \$2,240.52.

I am recommending no change to the bill for the property between February 26 and May 27, 2021. The water was used and it is the responsibility of the property owner to be aware of water usage. I am sympathetic as your building had been vacant for a year at the time of the leak. Had it been occupied or visited more frequently, you would likely have discovered the leak on your own. In the end, I am making this recommendation on this portion of the bill based on the idea



that the private property owner is responsible for the water consumption in these situations and the responsibility does not lie the water rate payers at large.

I am recommending that the SPRWS Board decrease the bill for the period of May 27 – August 27, 2021. I think it was reasonable to assume that SPRWS staff had completely shut off the water flow to the property June 10, 2021. Per the Data Logging Report attached to the Legislative Hearing record, I note that water was used at an approximate rate of 1.4 units/day between June 10 and July 3, 2021, accounting for about 32 units of water. Adjusting the bill to delete that portion related to this time period decreases the bill by \$301.86, or from \$2,240.52 to \$1,938.66.

I encourage SPRWS staff to work with you to develop a payment plan which will work with your budget.

Should you wish to appeal this matter further, it will be scheduled for consideration by the SPRWS Board of Commissioners on **April 12, 2022**. Please contact Mai Vang at 651-266-8563 or [mai.vang@ci.stpaul.mn.us](mailto:mai.vang@ci.stpaul.mn.us) if you plan on contesting the recommendation and she will provide more information on the means to give testimony and additional information to the SPRWS Board.

Sincerely,

*Marcia Moermond*

Marcia Moermond  
Legislative Hearing Officer

c: Patrick Shea, SPRWS  
Dolly Ludden, SPRWS Business Manager  
Derek Olson, Senior Customer Service Representative