January 28, 2013

Michelle A. Wilson
Ord D# 231466
MCF Shakopee
1010 6th Ave W.
Shakopee, MN 55379-2213

City Clerk's Office
310 City Hall
15 W. Kellogg Blvd.
St. Paul, MN 55102

RE: 690 Edgehart Ave, St. Paul, MN - 3rd notice from owner

To Whom It May Concern:

I, Michelle A Wilson, as the sole owner of 690 Edgehart Avenue, have never been notified or been in receipt of the Revocation of Fire Certificate of Occupancy and Order to Vacate, prior to November 3, 2012, when a copy was forwarded to me by Dennis Sentz, Inspector, Vacant Building Program, City of St. Paul. I was informed by both friends and family, that a Condemn Notice had been posted on my property, and subsequently two other notices were posted, then my vehicles were towed by City Tow, all in a matter of two weeks. These actions were done in violation of my due process rights, because, as the sole owner of this property, without the benefit of an authorized representative, I was the only one who could properly receive notification. No notification was ever logged in at MCF Shakopee, nor was I served papers personally, to notify me of this pending action. Thus, there was no lawful notification.

I was aghast to find out that both of my vehicles had been towed, at a cost to me, from my private property; my driveway and not the city street, due to expired tabs. This action was also unlawful given the fact that I had not received proper notification. This cost my family 1K.

Sincerely,
Michelle R Wilson

RECEIVED
JUN 24 2013
CITY CLERK

I had not, at that time, ever been notified of code violations that support that action. Due to the improper notification, the city has caused me to incur over 3K of expenses. There is the initial fee of $100 for vacant property listing, $1000 for towing fees and parking costs, and apparently $1300 for lawn maintenance of which I never requested. My home has a back yard encased by a 6 ft privacy fence. My neighbors stated that the yard needed better maintenance for the first clean-up, but the second clean-up was unnecessary and was done a mere three weeks after the initial clean-up. Once again, not notifying me prior to these actions is a due process violation. Additionally, the city dismantled my privacy fence for their entry and left it open. Inspector Senty was contacted in July 2012, by a family member of mine. He stated to my family, that I had the right to appeal any action taken by the City. I was told to send a letter to City Hall at 15 Kellogg Blvd. W. I sent a letter to both Inspector Senty and to City Hall. I never received a response from City Hall, nor any papers to submit an appeal. It took one month for Inspector Senty to respond to my letter. He's letter dated October 30, 2012 had an attachment enclosed which he felt supported his allegation that "I" had been notified. The letter is proof that I was not notified. It was mailed to me at 4015 Chicago Ave, Mpls, MN, 55407-3142. It was dated June 28, 2012. To the best of my knowledge, this address was unoccupied on June 28, 2012. The occupants vacated that property in mid April 2012. In any event, the occupants were not me, nor were they persons who were responsible for my property. They were not at liberty to make any decisions regarding my property at any time without my direction or approval. Thus, this was an improper notification.

Office of The City Counsel
City Hall and Court House - 3rd fl.
15 West Kellogg Blvd.
St. Paul, Mn 55102-1615

Enclosed you will find a copy of one of my correspondences with Dennis Seitz. My nephew, SPPD officer Robert Edwards had made contact with Mr Seitz during August/September 2012. I was never made aware of any violations prior to mid-June 2012. When I was contacted by a neighbor regarding the removal/towing of both of my vehicles from my private driveway. The vehicles were never ticketed or tagged prior to this action. I was never notified of any violation prior to this action. One of my friends had taken photos of my backyard and my home to mail to me, April 2012. He was accepting of the responsibility to do security checks, along with other friends and family. My home was not abandoned. I have also enclosed a Jan 2013 City Clerk Correspondence.

I'd like to include this correspondence along with a copy of my correspondence to Dennis Seitz and a time-line of events to further support my argument of improper notification of a vacant building. I wanted to appeal the initial assignment of my home at 690 Englehart Ave. as a vacant building but Dennis Seitz did not send out the appeal form to either me or my nephew, despite alerting my nephew to the appeal process. My first three letters sent to your office in September 2012, November 2012 and December 2012 stated my need to appeal your initial assessment because of no notification and improper due process. My timeline may be more extensive than you would normally require but I want it to be shown that I can corroborate my timeline with several witnesses who were involved in this process. Many of them have been wrongly affected by your actions because of emotional and monetary damages. The towing fees cost my nephew an excess of $1000.00. The repair of damage to my fence twice was costly to my neighbors.

Fathers Day - June 17, 2012

I contacted a friend who was interested in residing at my home. He intended to do security checks in May but could not obtain the keys from my other friend and I had been unable to contact her the entire month of May. Thus, I wrote her a letter stating that he was authorized to do the security checks and obtain the keys. I told her that he was interested in residing at my home and renting out his own. He took photographs of Perimeter.

Thursday June 21, 2012 - The 1st time I was informed of an issue. My neighbor stated that she found a white notice on my door and attempted to contact my male friend. Neither of them had written me to inform me of what was subsequently found to be a condemn notice, because it wasn't discovered on Fathers Day, thus, it was placed between Monday - Wednesday. My male friend photographed the notice, and gave me the phone # listed (651) 266-8688. Subsequently a Notice to Keep Out was posted with a date of 6/12/12 (prior to father's day but posted thereafter). It had the phone # (651) 266-1930 stating Dennis Senty Enforces. One notice stated 1st Inspector F. Efferson - MBFC Code FPLC. No mail was received with a description of the meaning of these codes or an explanation. Tried to call City to no avail.

Friday, June 22, 2012 - I had someone pull the code on the internet. It searched and found MBFC Org. Mpls Office of 100 S. 5th St., Suite 240, Mpls Mn 55402. It came up under SBA (Small Business Assoc.) loans under Minnesota Business Finance Corp, as if my home were Listed For Sale. Subsequently two more notices were posted. Try to call City.

Tuesday, July 3, 2012 - I had another friend do a security check. She found two trash cans overflowing in my driveway. I had cancelled trash pick up so I had my nephew go to my home & he found that the trash cans had been removed by an unknown source. Call a neighbor who states that the City

brought ~~from Tracks~~ people into my backyard, destroying my 6 ft. privacy fence. Also informed that they towed my vehicles with a police escort. My nephew contacted me since he works for SPPD and he informs me of the current state of affairs. I tell him that I was NEVER NOTIFIED, by City of St. Paul.

Friday, July 13, 2012

Contact my advisor who authorizes calls to the City Tow in order for my family to obtain authorization to get information regarding City Actions. Received an E-mail from another family member stating that my cars were removed (repossessed) to cover costs that I owed to City. Called neighbor to authorize or accompany my nephew around perimeter to inspect City action. I ask them to research the City Ordinance that authorized trespass and removal of my vehicles. My nephew stated they were removed due to expired tabs. He assured me that he would contact Dennis Senty. Quoted St. Paul City Code Custody of Abandoned Vehicles Chp. 163, ~~Section~~ 16303.

Tuesday, July 31, 2012

Neighbor states that the City removed brush and cut back weeds from back yard. They left the left privacy fence open and destroyed so she sent her husband to repair the fence. I contacted another friend and had her take photos. I contact my nephew who had spoken to Jake at City Tow about recovering vehicles. He also left a message for Dennis Senty. Neighbor stated grass had not grown very high & was invisible behind the privacy fence. It wasn't past her shins.

Wednesday, August 1, 2012

Update from family. Dennis Senty was contacted and returned call to nephew. Mr Senty stated that my home is condemned because there is no running water. And is considered abandoned property, requiring a 1K+ water bill to be paid prior to removal of condemnation status. I have NO 1K Water Bill. Senty claimed to have contacted me in an attempt without response. Senty did not contact me @ MCF Shakopee where I am restricted. He sent information to a prior address I had used in Mpls and that property was vacated April 2012.

*Expenses accrued prior to May 2013 robbery at an even higher cost. Two police calls were made & neighbor at 102 ~~[illegible]~~ called the City.

September 17, 2012 - Email from nephew

He follows up on comments 8/9/12 e-mail regarding the appeal process for Vacant Building list. Senty had informed him that we were beyond the appeal deadline; but I, as the home owner, could write a letter to the City Clerk's Office at 15 W. Kellogg Blvd. 55101. My nephew was not allowed to do the appeal as non-homeowner.

September 24, 2012

Sent letter to City Clerks Office requesting appeal document and notifying them of lack of notice for their actions. Had spoken to my neighbor who stated the City came back with Frontloaders and knocked my privacy fence back down & did work in yard cutting grass etc. despite a mere passage of 21 days or so since they had previously been there. I asked her to take photos before they repaired the fence, so I could use for evidence along with my recorded phone calls. Sent another letter to Dennis Senty.

Wednesday, October 17, 2012

I sent another letter to City Clerk's Office. Contact Atty tested in newspaper. Send another letter to Senty. Senty responds October 30, 2012, he gives me a more descriptive address than he gave my nephew: City Clerk, 310 City Hall, 15 Kellogg Blvd. W., St. Paul, Mn 55102, along with a website for the appeal despite informing my nephew that he couldn't lodge the appeal because he's not ~~the~~ the Home Owner. I have no internet access. This non homeowner, non-eligibility is contradicted in Senty's October 30, 2012 attachment where he claims with a copy of a June 28, 2012 letter, that I was contacted. He sent the June letter to me at 4015 Chicago Ave., Mpls and addressed it to Dear Property Representative. I do not, nor have I ever had a property representative and I am unsure of where or why he obtained the assumption that I did have one. I was appalled. As I stated the prior resident of 4015 Chicago Ave moved out of state by April 15 2012. He attempted to contact them two months after the move & without authorization. Your actions have cost me two renters and over $6K in expenses.

o added 6/30/13

September 12, 201

Mr Dennis Senty,

Hello. I have attempted to contact you several times via telephone, but your office wont accept my pre-paid calls & I am unable to leave a message. I have requested that a family member contact you for some time & it is my understanding that he has finally spoken directly to you and not a receptionist answering the phone. He states that you are contending that my home has code violations. None of these purported violations have been called to my attention, thus, I would like written notice &/or correspondence supporting this claim. It is my due process right to be fully informed of any violations prior to the city taking actions to remedy them, themselves. I am requesting that you issue a statement of the alleged code violations and corresponding statutes that have given you the right to tamper with my personal property without my authorization as the home-owner.

My friends and family have attempted to enter my home to do a periodic security check, as they have done in the past & have been authorized to do so, as agreed by myself & them, for the future. I was then, told that the City of St Paul had posted a "Condemnation Notice" near my front door. Then, upon later inspection, they found two additional notices preventing them from lawful entry. I want to know why I wasn't properly notified of these allegations & actions in advance. These notices placed on my private property lure vagrants and attract potential theeves to my home. The only violation at my home, unless you can correct me, was the tall grass which was located behind a 6ft. privacy fence. That violation was remedied by the city mid July 2012, and a fee was assessed to my taxes ($233.00). Your notices are not only drawing unwanted & unwarranted attention to my property, but are also preventing security checks from being done by my friends family. Mid May 2013 My home was roffed due to notices alerting criminals to my non occupied address

I'd like to clear up, first & foremost, the erroneous assumption that my home has been abandoned. I am @ MCF Shakopee and it wouldn't take more than three clicks on the internet to locate me and properly notify me of any alleged violations. My home has [illegible] vacant property list,

despite lack of proper foundation or notice or alert being given to the homeowner. My residence at 690 Idlehart Ave does not have water because it is not necessary if no one is currently residing in the home. My home is currently vacant by choice, but it is not abandoned. It has been very well maintained by friends & family, and is a relatively new dwelling, not an eye sore to the Community.

Your office has failed to comply with the State of Minnesota's legal requirement to give proper notice to the homeowner; myself, prior to posting notices or assessing fees. Moreover, your office took it upon themselves to label my vehicles as "junk cars" due to expired tabs. My vehicles were not on the street, they were located in my driveway, on my property. You had them towed from my property, costing my family over 1K. This was done instead of properly tagging or ticketing them with notices to the owner. You failed to inform the owner that the plates simply needed to be removed and filed (stored) with the city, so they are not operated or driven with expired tabs.

It is my understanding that your office also failed to inform me of the appeals process to challenge this erroneous assessment. I deserve to be properly notified of the violations and given my due process right to challenge your assessments. The limited nuisance conditions that the city discovered on my property do not justify its inclusion on the Abandoned Property list, nor does it rise to the level to justify a condemnation notice. The idea is ludicrous. I want to challenge your $1100 fee which is in addition to the $233.00 fee added to my taxes to clear the code violation of tall grass.

So, in closing, please forward my notice along with a copy of the alleged city code violations and the corresponding Code that justifies it. I want to know what gave your office the right to override my authorization to enter my home, allowing you to post a Do Not Enter notice, and the right to tow my vehicles.

Thanks For Your Cooperation,

References:

Nephew: Officer Robert L. Edwards (612) 308-5183

Janice & Linwood Whitaker - neighbors - 702 Highland Ave

Jennifer Furcus (952) 215-5065

- Did follow up calls Dec & Jan & was mailed payoff itemization & originally told via phone that there was no restricted entry

John Coolidge (612) 839-0580