Moermond, Marcia (CI-StPaul)

From: Henningson, Samantha (CI-StPaul)
Sent: Thursday, January 14, 2016 11:27 AM
To: Dana DeMaster; Magner, Steve (CI-StPaul); Cervantes, Ricardo (CI-StPaul); Dornfeld, Matt (CI-StPaul)
Cc: Shane Montoya; #CI-StPaul_Ward4; #CI-StPaul_Ward2; Bistodeau, Travis (CI-StPaul); Humphrey, Robert (CI-StPaul); Moermond, Marcia (CI-StPaul)
Subject: RE: Emergency Action Requested - Vacant Property/Inspection Issue

Importance: High

Dana,

I just met with our Legislative Hearing Officer, Marcia Moermond, and Councilmember Noecker. Our recommendation is that you come to City Council Offices (310, City Hall) by close of business today (4:30pm) to file an emergency appeal of the Vacant Building status, which would allow for an emergency hearing to take place tomorrow. The outcome of this hearing may not be to have the status overturned, but would allow for you and the buyer to come in and talk through options, including timing and possible postponement of the Vacant Building fee. Marcia is very skilled at working through these complicated cases.

I also just spoke with Deputy Director Bistodeau regarding the code compliance report request. He is looking into the possibility of getting it done yet this week, but this week most staff are at a training, making the request very difficult. Next week might be more realistic, which is something that could also be discussed at an emergency hearing tomorrow. We would also need to figure out, in any case, who will be paying for the code compliance report – the buyer or seller.

I will let you know the outcome of the request for the code compliance report yet this week, but in the meantime, you should strongly consider coming down to file an appeal.

Sincerely,
Samantha
Legislative Aide to Councilmember Stark
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From: Henningson, Samantha (CI-StPaul)
Sent: Thursday, January 14, 2016 9:30 AM
To: Dana DeMaster; Magner, Steve (CI-StPaul); Cervantes, Ricardo (CI-StPaul); Dornfeld, Matt (CI-StPaul)
Cc: Shane Montoya; #CI-StPaul_Ward4; #CI-StPaul_Ward2; Bistodeau, Travis (CI-StPaul); Humphrey, Robert (CI-StPaul)
Subject: RE: Emergency Action Requested - Vacant Property/Inspection Issue

Dana,

I have already asked Deputy Director Bistodeau and Robert Humphrey in DSI to look into this. I have copied them here so they have this most recent version of your request.

More soon,
Samantha
Legislative Aide to Councilmember Stark
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From: Dana DeMaster [mailto:danademaster@yahoo.com]
Sent: Thursday, January 14, 2016 9:12 AM
To: steve.manger@ci.stpaul.mn.us; matt.dornfield@ci.stpaul.mn.us; ricardo.x.cervantes@ci.stpaul.mn.us
Cc: Shane Montoya; #CI-StPaul_Ward4; #CI-StPaul_Ward2
Subject: Emergency Action Requested - Vacant Property/Inspection Issue

Steve Manger
Vacant Buildings Program Manager
City of Saint Paul
375 Jackson Street, Suite 220
Saint Paul, MN 55101

Matt Dornfield
District Inspector
City of Saint Paul
375 Jackson Street, Suite 220
Saint Paul, MN 55101

Ricardo X. Cervantes
DSI Director
City of Saint Paul
375 Jackson Street, Suite 220
Saint Paul, MN 55101

Dear Mr. Cervantes, Mr. Manger, and Mr. Dornfield,

This is an emergency that requires action today. The request in this letter is herein presented to your office.

In September 2007 I bought a house at 1642 Blair Avenue. In August 2006, the previous owners had a new roof put on. That roof permit was never inspected by the city. It was closed as uninspected. Unknown to us, and not disclosed by the seller, their agent, my realtor, or caught by the inspector we hired, the roofer cut off the chimney that vents the furnace. In April 2015 we discovered the problem. Due to years of water damage the cost to repair was about $60,000. We were underwater on the mortgage and, even if we fixed the problem, we would still be underwater. We opted to sell. We had to move before heating season and moved to our new house in October.

Now we are at today. We have a buyer and the short sale has been approved by US Bank. We have to close by Monday, January 18th per US Bank's agreement. The buyer is a contractor who is aware of the issues and is prepared to repair the property. This past week the house was declared vacant by the city, putting our closing in jeopardy.

If we do not close on this property we do not have the financial means to repair this property. We will go into tax forfeiture, foreclose with the bank, and the property will remain vacant. We do not want this to happen. Matt Dornfield, District Inspector, is out of the office until Tuesday, January 19 - too late for the close.

According to the buyer, he will still close if he can get a Category 2 report. We need this today or tomorrow at the latest. Monday is a holiday and our required closing date.

I know this is a big request, but the consequences are even greater. My family will be financial ruined and the city will have another abandoned property on its hands.

I need an expedited Category 2 report sent to my real estate agent, Shane Montoya (shane@theoddcoupleteam.com). I need that **today or word that it will be sent tomorrow**. Ideally, the vacant building status would just be removed.

Second, and I have written to Council President Stark, about this before, the city needs to review its permit review process. Currently, if the owner or contractor does not request a permit inspection it is closed with no inspection. This undermines the basic health and safety function of permits. This should be a basic responsibility of the city. My family's health and lives were put in danger for eight years as our furnace was vented into our attic and we were exposed to carbon monoxide. There are a lot of parties who should have done a lot of things to prevent this situation. However, the bottom line is that WE WERE SOLD A HOUSE IN THIS CONDITION and if the city had inspected the permit this whole situation never would have happened.

Regards,

Dana DeMaster
927 Bayard Ave
Saint Paul, MN 55102

651-646-2032

Cc: Council Person Noecker, Council President Stark, Shane Montoya