



City of Saint Paul

City Hall and Court House
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Master

File Number: RLH VO 15-62

File ID: RLH VO 15-62

Type: Resolution LH Vacate
Order

Status: Passed

Version: 2

**Contact
Number:**

In Control: City Council

File Created: 11/12/2015

File Name: 975 Reaney Avenue

Final Action: 12/16/2015

Title: Appeal of Stavres Haidos to a Revocation of Fire Certificate of Occupancy and
Order to Vacate at 975 REANEY AVENUE.

Notes:

Agenda Date: 12/16/2015

Agenda Number: 94

Sponsors: Finney

Enactment Date:

Attachments: 975 Reaney Ave Appeal 11-12-15, 975
Reaney.Photos #1.8-17-15, 975 Reaney.Photos
#2.8-17-15, 975 Reaney.Photos #3.8-17-15, 975
Reaney.Photos #4.8-17-15, 975 Reaney.Photos
#5.8-17-15, 975 Reaney.Photos #6.8-17-15, 975
Reaney.Photos #7.8-17-15, 975 Reaney.Photos
#8.8-17-15, 975 Reaney Ave.Haidos Ltr.11-30-15,
975 Reaney Ave.Revocation Notice.11-30-15, 975
Reaney Ave.Photos #1.12-1-15, 975 Reaney
Ave.Photos #2.12-1-15, 975 Reaney Ave.Photos with
notes.12-3-15, 975 Reaney Ave.Haidos Ltr.12-3-15

Financials Included?:

Contact Name:

Hearing Date:

Entered by: arthur.shaffer-frazier@ci.stpaul.mn.us

Ord Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	11/24/2015	Laid Over	Legislative Hearings	12/01/2015		
	Action Text: Laid Over to the Legislative Hearings due back on 12/1/2015						
	Notes: Stavros Haidos, owner, appeared.						
	<i>Fire Inspector Leanna Shaff:</i>						
	<i>-Fire Certificate of Occupancy Revocation & Order to Vacate</i>						
	<i>-Inspection done Oct 29, 2015 by Fire Inspector Efrayn Franquiz</i>						
	<i>-was a fire at unit 977 a couple of years ago that is yet to be addressed</i>						
	<i>-Appellant says he's received 2 re-inspections; the last time thru, he received 3 inspections; it's Fire's</i>						
	<i>procedure to look at a typical 90-day compliance; the first inspection on this started Jun 16, 2015 so</i>						
	<i>Oct 29 is way past the 90-day deadline; secondly, Unit 977 Unit 1 really needs to be addressed</i>						
	<i>(photos)</i>						

- 2 bldgs with 2 units in each bldg
- 975 lower unit is not occupied; upper is occupied

Mr. Haidos:

- 975 lower unit had been a Section 8 tenant and SPPD told him that he needed to have the 975 lower unit tenant out
- 977 lower unit had fire damage in the kitchen; 977 upper unit is occupied (Section 8 inspected unit)
- problem: in previous inspections, when he got things done, they were no longer on the next list; however, with this inspector, it's been difficult getting things checked off; the way this has been dealt with is just not right
- each time he comes, he adds new things and the old things don't get checked off
- he's beginning to think that he'll never get it passed; this is very frustrating
- Oct 29 inspection - permit for toilet on 2nd floor
- 975 Unit 2 kitchen: repair and maintain floor; new item; (never on previous lists)
- #3 kitchen: repair & maintain ceiling in approved manner; chipping & peeling paint; (there is no chipping & peeling paint in this kitchen; it's fixed)
- 975 Unit 1 door: repair & maintain door-it needs to self close; (new item but it closes)
- #5 repair & replace upstairs west bedroom... (there's no west bedroom)... door trim missing; (the door trim is not missing on the south bedroom; this was done 2 inspections ago and is still on my list)
- repair & maintain upstairs bathroom door; door does not close properly; has hole in back side (it doesn't); then, he says, the repaired hole is not completely finished; sand and paint (he caulked the hole; it was small; now there's no hole there)
- new one: the door trim for the bathroom on 1st level is cracked and a piece is broken off (not on any other inspection)
- north bedroom: repair & scrape the chipping & peeling paint upstairs N. bedroom near door (it's done but inspection didn't quite like the paint job)
- #8 exterior door; new: repair & maintain window glass - it's missing; other panel, the glass is incomplete (those doors have not changed since the first inspection)
- after that from #10 down to #18 is all 977 Unit 1, the unit in which no one lives and no one has access to it; police officer told him that the reason he told the inspector to go after him on this was because he wanted him to get the tenant out of the 1st floor unit of 975; after he got that person out, the police officer said that the inspector should be more lenient on the landlord on this thing because he had taken care of what they wanted him to take care of
- #19 977 interior: repair & maintain the walls in appropriate manner (it's done - the attic)
- repair walls next to basement door (he did); the wall is incomplete and has openings in the side (it does not-it's fixed)
- repair hole in wall in hallway; (it's done but he left it)
- etc, etc. etc.,,,
- he's very nit picky

Ms. Moermond:

- she, Ms. Shaff and Mr. Haidos reviewed the photos together, much of which is already done
- senses frustration
- needs another set of eyes on this and Supervisor/Inspector Shaff will do the inspection; there still are plenty of things that are wrong
- her big concern is the space where there was a fire - Has it left walls & ceilings open to make another fire spread more quickly?
- concerned about what has kept Mr. Haidos from getting the unit of the fire repaired

Ms. Shaff:

- re: fire - occupancy separation; is a bit concerned with health & sanitation with the rest of the building
- how that unit may compromise the rest of the building
- will take another set of eyes

Ms. Moermond:

- long term plans?
- this has the earmarks of owner walking away

Mr. Haidos:

- I'm not walking away; he intends to fix the unit that had the fire
- the eviction unit: he wasn't going to put another tenant in there while the C of O is up in the air; wouldn't be fair to someone
- he spent a long time waiting for the insurance company; then, he's been getting bids; it all takes time
- he is going thru a court process with the other tenants

-another Fire Inspector told him that they were pressing hard on him because he had people in the building that the police don't want in there
-he intends to move into the building

Ms. Moermond:

-next inspection will be at 11 am, Nov 30, 2015 done by Supervisor Leanna Shaff and Inspector Franquiz and we'll talk the following day, Tue Dec 1, 2015 at 11:30 am
-Ms. Shaff will check out the spaces, the fire separation between those spaces and between the utilities in the basement, etc. and work thru the list to see what's done and what's not
-C of O contact person is listed as Anastasia Haidos (his manager)

Layover to Dec 1, 2015 LH.

1	Legislative Hearings	12/01/2015	Referred	City Council	12/16/2015
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Action Text: Referred to the City Council due back on 12/16/2015

Notes: Olympia Haidos, owner, appeared.

Ms. Moermond:

-had a hearing on this last week; there's been an inspection and things have changed along the way

Fire Supervisor Leanna Shaff:

-Ms. Haidos and I, along with Inspector Franquiz, met yesterday and we went over the building
-some things needed to be removed from the list, which has happened
-there were questions about the unit that had the fire; there are some occupancy separation issues, ceiling in walls; old type construction
-we clarified quite a few things
-she doesn't believe that there's a whole lot more in question
-they were going to talk with Zoning re: separation or lot split
-next we need a deadline for compliance
-photos

Ms. Haidos:

-some new items on the list like the drain pipe in the basement (Ms. Shaff: -it's not properly supported; the drain pipe comes from the 2nd floor through the 1st floor down into the basement)

Mai Vang printed out the Orders that were issued yesterday

Ms. Shaff:

-some items were Withdrawn, some added - vast majority deals with the fire unit
-we talked about the code, requirements and expectations
-the Haidos have served eviction papers to 2 units
-this is 2 separate buildings that share a middle area; looks like one large building

Ms. Moermond:

-clarified: 975, the lower unit is vacant; 977, lower unit is also vacant (fire); both upstairs units were served eviction papers

Ms. Haidos:

-the issue with these tenants if that even if we go in and make repairs, when we go back in to re-inspect, the tenants will have broken other things (big hole in wall upstairs and broken cabinet)
-her attorney said that he could have those tenants out by Jan; and after that, we can go in and it will take just a week or two
-one of the tenants is willing to move; the other one is not willing to move; her hearing is in 2 weeks; both tenants are single moms with children

Ms. Moermond:

-she is sympathetic to Haidos' concern with the tenants
-wants to look at this list and with the inspector, make a determination about those items that must be addressed immediately: the life-safety issues; then, create a new deadline for the rest of the items
-if, for whatever reason, that deadline is blown, we will put a Vacate date on the property; then, you will need to get your C of O back again before it can be re-occupied

Ms. Haidos:

-unless we occupy it ourselves, correct? Her husband is going to live there

-in order to get that burned unit repaired, her husband is going to have to be here

Ms. Moermond:

-if you are going to live there, we still will need to carry some of these Orders forward; although, we will switch inspectors to be code enforcement inspectors, who do owner-occupied properties

Ms. Shaff:

-does not see items on the list that need to be taken care of right away

-she would fully support giving it to the end of the year; and then would like to re-inspect at the end of Jan, 2016

Ms. Moermond:

-she is not comfortable doing a Vacate Order; it needs to be connected with long term noncompliance; so, we will make it a single deadline for the issues to be taken care of or the place Vacated: Deadline: Jan 15, 2016 for compliance of the 3 units that aren't burned out; and going to Jun 15, 2016 for compliance on the burned out unit

Grant until January 15, 2016 to come into compliance with the three (3) units that are not fire damaged and grant until June 15, 2016 for the fire damaged unit.

2	City Council	12/16/2015	Adopted	Pass
	Action Text:	Adopted		
2	Mayor's Office	12/21/2015	Signed	
	Action Text:	Signed		

Text of Legislative File RLH VO 15-62

Appeal of Stavres Haidos to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 975 REANEY AVENUE.

WHEREAS, in the matter of the Haidos to a Revocation of Fire Certificate of Occupancy and Order to Vacate Notice at 975 REANEY AVENUE, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council grant until January 15, 2016 to come into compliance with the three (3) units that are not fire damaged and grant until June 15, 2016 for the fire damaged unit; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.

See Attachment