



# City of Saint Paul

City Hall and Court House  
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## Master

**File Number: RLH RR 15-37**

**File ID:** RLH RR 15-37

**Type:** Resolution LH Substantial  
Abatement Order

**Status:** Passed

**Version:** 2

**Contact  
Number:**

**In Control:** City Council

**File Created:** 09/01/2015

**File Name:** 2227 Beech St Remove/Repair

**Final Action:** 10/07/2015

**Title:** Ordering the razing and removal of the structures at 2227 BEECH STREET within fifteen (15) days after the October 7, 2015, City Council Public Hearing (Amended to 30 Days).

### Notes:

**Agenda Date:** 10/07/2015

**Agenda Number:** 62

**Sponsors:** Finney

**Enactment Date:**

**Attachments:** 2227 Beech St.OTA 7-1-15, 2227 Beech St.PH  
8-7-15, 2227 Beech St.SHPO 7-8-15, 2227 Beech  
St.Photos #1.2-26-15, 2227 Beech St.Photos  
#2.2-26-15, 2227 Beech St.FTA RR Ltr.9-10-15

**Financials Included?:**

**Contact Name:**

**Hearing Date:**

**Entered by:** vicki.sheffer@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	09/08/2015	Referred	City Council	10/07/2015		
	<b>Action Text:</b> Referred to the City Council due back on 10/7/2015						
	<b>Notes:</b> <i>Inspector Steve Wagner, Vacant Buildings:</i> <i>The building is a one-story wood frame single-family dwelling with a tuck-under two-stall garage on a lot of 5,227 square feet. According to our files, it has been a vacant building since September 27, 2012.</i> <i>The current property owner is Bank of America per AMANDA and Ramsey County Property records. On February 25, 2015, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on July 1, 2015 with a compliance date of July 31, 2015. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.</i> <i>Taxation has placed an estimated market value of \$25,800 on the land and \$109,800 on the building. Real estate taxes are current.</i> <i>The Vacant Building registration fees are due and owing in the amount of \$2,025 (fee for 2014 was paid by check).</i> <i>As of September 4, 2015, a Code Compliance Inspection has not been done.</i>						

*As of September 4, 2015, the \$5,000 performance deposit has not been posted.*

*There was one (1) SUMMARY ABATEMENT NOTICES since 2012.*

*There was one (1) WORK ORDER issued for:*

*- Garbage/rubbish*

*Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish exceeds \$12,000.*

*DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the Division of Code Enforcement to demolish and assess the costs to the property.*

*Amy Spong, Heritage Preservation Commission (HPC):*

*- 977 split level home; original owner was B. Smitney*

*-don't have Sanborn Insurance maps*

*-house is only 38 years old - the vintage arena; not historic*

*-is contiguous with the surrounding houses in that neighborhood; cul-de-sac*

*-demolition would not have an adverse effect*

*Ms. Moermond:*

*-there's no one here*

*-it's in the possession of Bank of America*

*Remove within 15 days with no option for repair. (No show.)*

2	City Council	10/07/2015	Adopted As Amended	Pass
	<b>Action Text:</b>	Adopted as amended (grant 30 days for removal)		
2	Mayor's Office	10/09/2015	Signed	
	<b>Action Text:</b>	Signed		

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**Text of Legislative File RLH RR 15-37**

Ordering the razing and removal of the structures at 2227 BEECH STREET within fifteen (15) days after the October 7, 2015, City Council Public Hearing (Amended to 30 Days).

**AMENDED 10/7/2015**

WHEREAS, the Department of Safety and Inspections has determined that 2227 BEECH STREET is a nuisance building pursuant to Saint Paul Legislative Code §45.02 as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and

WHEREAS, this property is legally described as follows, to wit: R L Wares Eastern Hgts Acr Lot Subj To St & Ex N 150 Ft; The E 48.08 Ft Of W 1/2 Of Lot 3 Blk 1; and

WHEREAS, based upon the records in the Ramsey County Recorder's Office and information on file or obtained by the Department of Safety and Inspections, the following are the owners, interested or responsible parties for the subject property as of August 7, 2015: Bank of America, 400 Countrywide Way, Simi Valley CA 93065; Bank of America NA, PO Box 24737, West Palm Beach FL 33416-4737; Koua Vue/Cha Chang, 1271 Etna St, Saint Paul MN 55106-2119; Ocwen Loan Servicing, LLC, 1661 Worthington Rd Ste 100, West Palm Beach FL 33409; Altisource Portfolio Solutions, 2002 Summit Blvd, Atlanta GA 30319; and District 1 Community Council; and

WHEREAS, each of these parties was served a written order dated July 1, 2015 advising them of the basis for the determination that the subject property was a nuisance, and that the nuisance building was to be repaired or razed and removed by July 31, 2015; and

WHEREAS, this order informed the interested or responsible parties that they must repair or raze and remove the structure(s) located on the Subject Property by July 31, 2015; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on July 2, 2015 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by July 31, 2015, and therefore an abatement hearing was scheduled before the City Council on October 7, 2015 and the owner or his duly authorized representative and any interested parties or their duly authorized representatives were properly notified of the time, date and place of the hearing; and

WHEREAS, the legislative hearing officer provided the owner and other interested parties an opportunity to discuss the matter at a legislative hearing on September 8, 2015; and

WHEREAS, a public hearing was held on October 7, 2015, and the Council reviewed the record, which included the exhibits from the Department of Safety and Inspections, the minutes and recommendation of the legislative hearing officer and any testimony at the hearing; Now, Therefore Be It

RESOLVED, that the Saint Paul City Council hereby finds:

1. That the structure(s) at 2227 BEECH STREET is a nuisance building pursuant to Saint Paul Legislative Code §45.02, as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting

material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and 3) these nuisance conditions have not been corrected after notice of the same to the owner.

2. That the Department of Safety and Inspections has complied with all of the procedural requirements of the Saint Paul Legislative Code Chapter 45.
3. That the owners, interested parties or responsible parties have not presented a plan acceptable to the legislative hearing officer and Department of Safety and Inspections staff to ~~repair the structure(s) and correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance report and to~~ make the structure(s) safe and code compliant within ~~45~~ 30 days. And, Be It Further

RESOLVED, that the Council orders that the owners, interested parties or responsible parties raze and remove the structure(s) within ~~45~~ 30 days. And, Be it Further

RESOLVED, that if the necessary corrective action has not been taken within the time allotted, the Department of Safety and Inspections is authorized to take those steps necessary to raze and remove this structure and to charge the costs incurred in accordance with Saint Paul Legislative Code §45.12(4). Any personal property or fixtures of any kind shall be removed by the owners, interested parties or responsible parties prior to the demolition or it will be considered to be abandoned and the City of Saint Paul shall remove and dispose of such property as it deems appropriate. And, Be It

FINALLY RESOLVED, that this resolution shall be served on any of the parties required to be notified in Saint Paul Legislative Code §45.12(4).