



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Jean Birkholz, Hearing Secretary
legislativehearings@ci.stpaul.mn.us
651-266-8585

Tuesday, September 6, 2016

9:00 AM

Room 330 City Hall & Court House

26 [SR 16-79](#)

Review Request of Nathan Luebke for the Appealed Special Tax Assessment for Property Adopted by City Council File RLH AR 16-50 on August 17, 2016 at 2034 PINEHURST AVENUE (File No. J1611A, Assessment No. 168527).

Sponsors: Tolbert

Nathan Luebke appeared.

Ms. Mai Vang:

*-Summary Abatement Order issued Apr 4, 2016; compliance Apr 8; re-checked Apr 8
-work done Apr 11 for a cost of \$288 + \$160 service charge = \$448
-garbage including litter in rear near alley and construction material in back yard
-sent to Kyle Luebke, 2034 Pinehurst Ave, St. Paul and Federal National Mortgage Assoc, 114221 Dallas Pkwy Ste 1000, Dallas TX
-no returned mail*

Ms. Moermond:

*-at the time the SA Order was written, it went to Fannie Mae
-this is a Vacant Building
-wants to know the policy, Mr. Yannarely*

Mr. Luebke:

*-I put an offer in Dec 2015; took possession in May 2016
-everyone is disputing this; the seller had a contract with a preservation company that was coming weekly/bi-weekly to cut the grass; my realtor said that it was such a drawn-out close, that she went to the property about twice a week because the property didn't have a security alarm and she wanted to make sure that no one was getting in and damaging the property
-the city doesn't have VIDEO or pictures; he called 5 depts when he got the assessment letter - the first notification that he got
-also, the property backs an alley in Highland Park where there's a bar and Half Price Books with huge disposal bins; any beer bottles or random trash would have come from them*

Ms. Moermond:

-has photos from the compliance date and they showed some lumber, garbage in the window well and loose & scattered in the back yard; the owner is responsible for it regardless of where the garbage was generated from

Mr. Luebke:

-does the city collect trash? "No." And, do they regulate the back alley of the

businesses? "No." They don't even regulate the parking; there's supposed to be 2-hour parking limit yet people park there and sit there all day long
-this is just random trash; the assessment bill is for almost \$500
-these are bldg materials that are going into the house (picture)

Ms. Moermond:

-reminded the Appellant that she is reviewing this record after the Council adopted the assessment; and the proper course for this would have been, had it been timely, to go to district court; so, we are trying to save you a few hundred dollars and problem solve it here; so.... I'm on your side
-I'm seeing some loose & scattered, some random pieces of wood and a bag of garbage in the window well
-we are here because cannot force the feds to do anything; they're the big gun; now, that the ownership has transferred to you, you get handed the stuff that's leftover, possibly from the federal ownership; they don't have to do TISH report or code compliance inspections, etc, that all the rest of us have to do
-notice did go to Fannie Mae, the owner of record; they did not disclose the assessment at closing
-I understand your frustration in that the city hasn't provided a VIDEO for you to see

Mr. Luebke:

-he is frustrated because he didn't even own the property at the time; he didn't get any Notice except for this one and that the city is saying that this property needed to be forcibly cleaned up and he is saying that the seller, who works on behalf of Fannie Mae, had someone go in there weekly to cut grass & collect trash that was being thrown by people walking down the back alley

Ms. Moermond:

-the Council has taking action toward organized solid waste collection services in the City of St. Paul; a lot of people are being heard and things are moving in that direction; it's in progress
-the notice was sent to the owner of record - Fannie Mae; your realtor may have missed it that day
-this was addressed to the Pinehurst address on Apr 4, 2016

Mr. Luebke:

-we didn't own the house at that time

Ms. Moermond:

-give me your HUD closing statement

Mr. Luebke:

-he provided the HUD closing statement

Ms. Moermond:

-given the closing date of May 13, 2016, she will recommend deletion

Delete the assessment given the closing date was May 13, 2016. Will draft a new resolution amending the assessment. Delete the assessment given the closing date was May 13, 2016. Will draft a new resolution amending the assessment.

Received and Filed