

From: [alex delendik](#)
To: [Zimny, Joanna \(CI-StPaul\)](#)
Subject: Re: 609 Sims Ave.Delendik Ltr.11-20-20
Date: Tuesday, December 1, 2020 2:42:24 PM
Attachments: [image001.png](#)
[image003.png](#)
[image002.png](#)
[image005.png](#)
[image004.png](#)

Think Before You Click: This email originated **outside** our organization.

Hi and thank you for having a second look at this matter...

I would like to provide more information and appeal potential cat2 assignment of the property.

I purchased the property on June 25th 2020 with three occupied units by tenants 1,2,3 and the TISH disclosure and current fire certificate of occupancy. Later next month i received revocation of fire certificate of occupancy due to a no access for the inspector by the previous landlord and existing work orders which I immediately appealed and did receive an extension till Nov2 2020 to be able comply with immediate safety items like smoke alarms, extension cords etc. while indicating that exterior and remodeling would need to be done once the units are vacant.

Since both me and all 3 tenants(tenant1,tenant2,tenan3) received order to vacate by the city of St. Paul I cooperated with tenant1 about move out without any rent payments and with Ramsey county on relocation of the tenant2 move out, tenant3 was also granted no rent needed till move out. I tried to get the access to the property with tenant3 and per city request ordered him to remove any extension cords as well as scheduled time to enter his unit and do immediate repairs needed- he was not willing to accommodate ANY time due to COVID in addition to that I got contacted by the state the attorney general's office - they indicated that tenant3 filed a complaint about orders to vacate by the city, he also asked more time to move out but assured them that he is moving out by November 2nd - at the same time Tenant3 notified me that no access to his unit is allowed and it will be considered trespassing until his move out, he posted the notes on all of the doors and changed the locks and stopped responding to any communication.

On Nov 3 2020 St. Paul inspector identified the property as potentially vacant and referred it to VBR, then i spoke to VBR inspector James Hoffman and he indicated that he had NO info of this property since he had been on vacation and I needed to contact the Marcia Moermond Legislative Hearing Officer regarding the status/category of the VBR property. Sad Only by Nov 17th i finally got possession of the unit3 since tenant3 moved out.

I then scheduled an appeal to maker the property Cat1 vs Cat2. The appeal hearing was rescheduled for last minute due to unavailability of the city employees, i spoke to both inspector from Fire Inspections and VBR dept. they indicated no specific knowledge of the matter and advised to proceed with appeal. On Nov 24th at the appeal I indicated that i had just received the possession of the Unit3, all units are now vacant, basic safety items like smoke alarms and extension cords are taken care of as agreed in September, I indicated my intensions to pull necessary permits and remodel the property according to the existing city work orders.

However, the city employees suggested to keep the property as Cat2 without looking into the facts I provided, but i still request it to be moved to Cat1 for the following reasons:

-The officers at the hearing explained that it is a Cat2 category partially based on the TISH inspection and indicated that the property needs work listed on the TISH (example:

missing joist hangers - however city code ordinance indicates that BY NO MEANS TISH can be used for enforcing any codes and is only a time of sale disclosure, the items on the TISH are just a disclosure and not a set of orders- those mentioned TISH items were present at the property for dozens of years and dozen of building permits were closed successfully without any correction notices as well as certificates of occupancy were issued for many years without any correction of the items listed on the TISH)- that is a straight St. Paul ordinance incompliance.

- The property was still occupied on Nov3 while immediate safety items like smoke alarms, extension cords, handrails and unnecessary deadbolts remediated as i suggested in September 2020, same way the major items like window replacement and other major work could only be done once the property is fully vacant – I did explain it during the appeal in September and that was the agreement with the hearing officer in September.

- I became the owner of the property on June 25th - but the property had not been inspected during the normal period required by fire cert occupancy terms - the last approval listed on the city website was in 2012- House being rented for 8 years without inspection is not compliant with city ordinance – but then I got immediate Cat2 assessment within months, so it looks like city of Saint Paul is only followed ordinance to prosecute homeowner and not to perform inspections that as it occurs may or may not inspect it for years regardless of code ordinance. The property did not get moved into cat2 for 8 months since initial inspection while the tenants were occupying as the city would have to evict them during eviction moratorium but it did get Cat2 status immediately once I resolved the problem created by the 8 years without inspections and once I cooperated with the city, attorney general’s office, Ramsey county, tenants.

- I personally requested to put the property into Cat1 category and register it vacant myself since it is owned by a corporation there is no homesteading possible and i shall have to close all work orders/permits prior to any occupancy.

- I believe my cooperation with tenants, city and state - show my good faith and desire to fix the property and register it as a CAT1 VBR property, the attorneys general office apologized to me for miscommunication between different government branches i.e. the city sent an order to vacate vs state asked me let tenant3 move out peacefully by Nov 2nd.

I have digital recording of ALL conversations with all city employees listing the facts above as well as the city of Saint Paul does – I can provide them as a proof - and I can prove that i became a victim of the circumstances and miscommunication, if my honest and true request to move the property to Cat1 vs Cat2 VBR status is not approved I shall have no other means to prove myself right other than going to MN courts seeking “writ of mandamus” and media and to show in Pioneer Press/Start Tribune how city of Saint Paul punishes Landlords for not doing own job of inspection properties on time per own ordinance and city employees violate city ordinances by using TISH for code enforcement while ordinance prohibits it.

please consider it not a threat but the last resource to prove myself innocent and trying to appeal.

I can upload the email communication and voice recording but I am sure you have it all.

Sincerely Alex Delendik

61264427527

On Wednesday, November 25, 2020, 12:47:42 PM CST, Zimny, Joanna (CI-StPaul) <joanna.zimny@ci.stpaul.mn.us> wrote:

Attached please find a letter regarding the above matter.

Thank you,

Joanna



Joanna Zimny

Executive Assistant

City Council Legislative Hearings

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