



Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Joanna Zimny, Executive Assistant
legislativehearings@ci.stpaul.mn.us
651-266-8585

Tuesday, January 10, 2023

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Remove/Repair Orders

- 1 **RLH RR 22-48** Ordering the rehabilitation or razing and removal of the structures at 523 BEAUMONT STREET within fifteen (15) days after the September 21, 2022, City Council Public Hearing. (Legislative Hearing on January 24, 2023)

Sponsors: Brendmoen

Grant 180 days to rehabilitate.

Ed Dropps, Greater Midwest Realty o/b/o GITSIT Solutions, appeared via phone
Araiza Hargrove, GITSIT Solutions, appeared via phone

Moermond: calling about 523 Beaumont. We got the work plan you submitted, and that looked like it met the requirements. Mr. Yannarely?

Supervisor Joe Yannarely: we concur.

Moermond: we're going to put this in front of Council and recommend a grant of time to do the rehab, 180 days. Mr. Yannarely wanted to touch base on one thing regarding property maintenance.

Yannarely: we are still getting complaints on snow removal timelines. After a snowfall you have 24 hours to remove it.

Hargrove: I saw we received a notice regarding the snow removal but our reports showed that the snow may have been removed, at most 48 hours after. I was curious about the time-frame. When did the snowfall happen and the complaint come in?

Yannarely: December 19 we went out there and there was a lot of snow, but due to the fact there was impending snow we cancelled any Summary Abatement. A full week after the snow, December 27 we sent a Summary Abatement Order and January 4 they sent a work order to clear it.

Hargrove: what was the date of the snowfall?

Moermond: I don't know we have snowfall reports today. You can appeal the charge

and we'd have that information.

Yannarely: it looks like due to the delay in the Summary Abatement Order, it was cleared. No work order.

Hargrove: I have an invoice from the 19th.

Yannarely: just that we're still getting complaints. It's a highly trafficked property, and on a corner.

Moermond: I just pulled up the video of what the crew saw when they went out. December 9th I see a sidewalk that hasn't been touched. 7 inches or so.

Hargrove: sure, I was speaking regarding the notice around the 27th and I had records we cleared the 19th and the 27th.

Moermond: that's all good but take the message from me now that I hate to stand in front of the Council to say they should get a grant of time but they aren't maintaining a property and that's a concern. Let's get it done ahead of time. You are in front of the microscope. We have been working with you since September to pull your act together and give you time. We want you to be in, the City has been in. I know you're hearing me loud and clear on this. You heard me say I'm recommending the grant of time. Let's keep it nice and neat so neighbors have no need to complain.

Hargrove: when was our last Legislative Hearing?

Moermond: December 13.

Hargrove: my point being, we were explained about the removal at that hearing. We've been more diligent. It shouldn't be an issue going forward.

Moermond: snow fell on the 20 and the 21. We'll send that forward in front of Council January 25, but I'm going to ask Mr. Yannarely to put a note in the system so it is understood permits may be pulled. Give it 24 hours. Your contractors should be able to go in starting tomorrow to begin work.

Referred to the City Council due back on 1/25/2023

2 [RLH RR 22-57](#)

Ordering the rehabilitation or razing and removal of the structures at 1501 CLARENCE STREET within fifteen (15) days after the November 9, 2022, City Council Public Hearing. (Amend to grant 180 days)

Sponsors: Yang

Grant 180 days pending updated affidavit, schedule, and subcontractor bids.

Doug Grimm, Northern Value Group, LLC appeared

Moermond: Llosa LLC, are they general contractors?

Grimm: yes:

Moermond: it looks like the bid in front of me enumerates all the items in the Code Compliance Inspection Report and probably their subs are doing the electrical, plumbing, etcetera?

Grimm: yes.

Moermond: two things that aren't showing up are a timeline in which the work would be completed. If the Council grants time it would be for 180 days, so I'd look for a schedule for it to be completed in that time period. That is so we have a notion of how you are approaching the project. What order in which these things are approached. I ask that so if we end up in April and a neighbor called, I can refer to that schedule and say they should be here, let me check the permits. The other thing I'm not finding is the bid is only \$27,000. Staff estimated significantly higher than that. And that may be because there was so much cleanout so it looked differently than what we anticipated.

Grimm: yes,. That's what happened. There are no structural problems. The floor is all straight. It is a cosmetic remodel for the most part, based on having done more than 150 projects in my time.

Moermond: I've done 1,000. Before the Code Compliance was conducted staff said at least \$100,000. You have a bid for \$27,000. Because there's such a difference between where we are originally at and what those actual subcontractor bids are coming in at. Break down the different components of what those costs are to explain the difference.

Grimm: so an estimate of the individual subs. I'm trying to imagine the clearest way to do that—

Moermond: I'd say these are probably subs this general works with a lot. I'm guessing they didn't just pull their number out of their hat. I'd guess they had the subs submit something with a number attached. I don't need anything fancy. Just the subs document what it will cost and what Llosa is charging. Sometimes these bids equate a cheap job, I don't think that's the case here

Yannarely: they had significant expense with the cleanout. They wouldn't do that if they were going to not do the job.

Grimm: we spent outward of \$10,000 at the beginning on the roof and the exterior cleanup.

Moermond: so putting the schedule around it, and getting those subcontractor bids, breaking those costs out more. The affidavit submitted from Northern Value Group indicates funds will be dedicated for the completion. I'm looking for a number in the affidavit and it is an LLC doing the work?

Grimm: yes.

Moermond: and I'm thinking there's bank account associated with the affidavit—

Grimm: I have that with me

Moermond: perfect, we can scan that in. Perfect. These aren't big asks, and I'm guessing your ready to get going?

Grimm: yes, and we'll have those things to you quickly.

Moermond: we'll put it on the Council's calendar January 18 for a vote. If we get the information before then, and have time to review and approve it, we can let you know that we'll ask the permit desk to allow permits before that vote.

[Moermond reviews bank account balance and approves]

Moermond: the affidavit doesn't indicate the amounts of funds or the source of funds. Both of those should be in the affidavit. That's it, we're in pretty good shape.

Grimm: our title company did an updated search on the property and found a couple of Vacant Building fees. I'm not sure when those are issued. Can those be forgiven?

Moermond: no, not as a Category 3. We can't go backwards in time. They're recovering costs of operating the Vacant Building program. Category 3 properties are pretty staff intensive.

Yannarely: May 4 is the anniversary date.

Moermond: you'll get a bill for the 2023 to 2024 fee 30 days prior.

Grimm: if this had been our property during that period we wouldn't have let it get that far.

Moermond: and it isn't intended to be a punishment for anyone, but rather the City has been in the business of managing this property and the person died in 2018 and you just concluded the foreclosure in the last few weeks

Grimm: December 6.

Moermond: that was a long time to get the foreclosure started.

Grimm: we took title of the mortgage in June of 2022.

Moermond: so you bought yourself a mortgage with these things going on. I can't open up last year's taxes legally. Morally it is a tough argument if it were in front of me, which it isn't. Looking at the next fee with the bill coming beginning of April, covering May 2023 to 2024. If you are done, you're out of the program. If you're close to being done, when you get that registration letter in April, appeal that and we can talk about doing a waiver so hopefully there is no fee at all if you are done. If for some reason the work continues beyond that waiver time, we can talk about it when it becomes an assessment and prorate it. There are options for the future. The past is already certified on the taxes. Can you have those items to us by close of business Monday?

Grimm: yes.

Moermond: that gives us some time to communicate back if there are issues.

Zimny: a reminder Monday is a holiday.

Moermond: first thing Tuesday morning works.

Referred to the City Council due back on 1/18/2023

3 [RLH RR 22-56](#)

Ordering the rehabilitation or razing and removal of the structures at 771 IOWA AVENUE WEST within fifteen (15) days after the October 26, 2022, City Council Public Hearing. (To refer to November 22, 2022 Legislative Hearing)

Sponsors: Brendmoen

Layover to LH January 24, 2023 at 9 am. PO to begin putting together bids, schedule, and financing for project.

Voicemail at 10:33 am: this is Marcia Moermond from St. Paul City Council calling you about your hearing for 771 Iowa. We'll try you back in a few minutes to talk to you. Hopefully you're available.

Voicemail at 10:55 am: this is Marcia Moermond from St. Paul City Council calling you again about 771 Iowa West. I think you should be getting your Code Compliance Inspection within the week, so I'll be looking for a work plan. You may be working with a development partner. They may be doing that. Feel free to contact my office with questions. We'll talk again in 2 weeks and I'd love to have your development partner on the line so we can hopefully have a clear road of where we are going.

Laid Over to the Legislative Hearings due back on 1/24/2023

- 4 RLH RR 22-54** Ordering the rehabilitation or razing and removal of the structures at 342 THOMAS AVENUE within fifteen (15) days after the October 12, 2022, City Council Public Hearing. (Legislative Hearing October 11, 2022)

Sponsors: Balenger

Grant 180 days pending submission of 1) schedule 2) subcontractor bids for plumbing & HVAC, 3), affidavit and 4) proof of financing to do the rehab.

Manuel Crespo, owner, appeared via phone

Adam Schmitt, friend of owner & financial advisor, appeared via phone

Moermond: we have materials from you, and we have most of what we need but we're still missing some critical pieces. We don't have a bid or statement on the building items in the Code Compliance or anything on HVAC. We do have electric and plumbing bids. We need those. Also, don't have any information on available money to do the rehab. Mr. Schmidt you walked through some assets Mr. Crespo has interests in, but no liquid money to pay contractors. Where is that at? I know there was interest to liquefy. Please update that.

Schmitt: I'm waiting for Manuel to get me information so I can get a HELOC. He hasn't provided that. He's got lots of options but he's so busy, he's not taking the time to do the things necessary to get this completed.

Moermond: Mr. Crespo, what is going on? We've been talking for several months.

Crespo: I've been trying to work with banks. It has all been behind, my renters aren't paying. I have no power to evict. This is backing me up. When is the next hearing?

Moermond: you're in overtime now. We haven't scheduled a next hearing. This first went to Council October 12, which means we started talking in September of 2022. All of those months we still haven't gotten the money together to show you can do the rehab. I know you are working hard on other jobs, but that translates you don't show the money, but I wonder if you have the time to do the work to get this placed fixed. I hope you do. But it is time to get serious. I'm losing my patience.

Schmitt: he can do this. He's choosing not to. I don't know why.

Crespo: you don't know my situation. The money is an issue. The bills keep coming. The main issue is I have rental properties and no one is paying their rent on time.

Schmitt: you have no idea—

Crespo: relax, ok. I do not want this property demoed; I have a lot of money in it. I'm trying to work on it. Next week I should be able to put something in my account. Plumbing and heating you mentioned. He told me he was going to cover everything.

Schmitt: can I ask, what is it you want to see first?

Moermond: I need to see money, the bids, and a schedule for the work that encompasses all the items on the Code Compliance Inspection Report. I have plumbing and electric bids now. I don't have evidence of financing. To be fair, I don't have a bottom line of how much this will cost

Schmitt: it should be \$27,500.

Moermond: you are right, so evidence of at least \$27,600 and those supporting bids for that work on the plan in front of me. A bid from Mr. Crespo is fine, you doing the work is fine, we just need to see costs of supplies and what you'd pay yourself. An "in kind" contribution, not cash you're paying yourself.

Schmitt: I had that in the file I sent you.

Moermond: you're right. Who is doing the work? I don't see that. I'm looking at spreadsheet—

Schmitt: it should be on there. I can complete that no problem. The main thing is the funding and I've been asking for it for months. He's just not getting it to me.

Moermond: I have two versions of a work plan submitted. [emails are reviewed] You are saying you have the contractor names imbedded in one of the columns in a spreadsheet you sent in. I have a bid from JM Robinson Electric which says they will cover all things in the Code Compliance and I have another bid from Oak Grove Plumbing saying they will do all the Code Compliance items. Looking at the balance of the Code Compliance, who is doing it and for how much? Those individual bids. And then the money. I am sympathetic that rental properties are definitely an investment that doesn't pan out, but I'm stuck looking for money now to undertake this project. I want to be fair, but we've been doing this a while and I need an end date on this. It would be reasonable to send this to Council on February 8, that gives you a full month to be able to show me the liquid money you'll be using to pay for the rehab. A number under \$30,000 but you'll provide documentation confirming that based on the other subcontractor bids. I'm comfortable with that. Any questions?

Crespo: what date?

Moermond: I was saying February 8 for the City Council to vote on giving time or not. I would want to see documentation by close of business Friday the 3rd.

Referred to the City Council due back on 2/8/2023

5 [RLH RR 23-1](#)

Ordering the rehabilitation or razing and removal of the structures at 46 FRONT AVENUE within fifteen (15) days after the February 8, 2023, City Council Public Hearing.

Sponsors: Balenger

Layover to LH January 24, 2023 at 9 am for further discussion.

*Lenna Gnatyk, daughter of owner, appeared
Petr Gnatyk, owner, appeared*

[Moermond gives background of appeals process]

Petr Gnatyk: my plan was to buy it, fix it, and live there. The problem was Covid started. My wife got sick.

Moermond: hold that thought for a moment, Mr. Yannarely is going to get us started.

Staff report by Supervisor Joe Yannarely: The building is a two-story, wood frame, duplex with a detached one-stall garage on a lot of 3,781 square feet. According to our files, it has been a vacant building since July 19, 2018. The current property owner is Petr Gnatyk, per Amanda and Ramsey County Property records. On September 28, 2022, 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 October 11, 2022, with a compliance date of November 10, 2022. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$20,000 on the land and \$153,000 on the building. Real estate taxes are current. The vacant building registration fees were paid by assessment on August 1, 2022. A Code Compliance Inspection was done on December 22, 2022. As of January 9, 2023, the \$5,000 performance deposit has not been posted. There have been thirty-three Summary Abatement notices since 2018. There have been sixteen work orders issued for: Garbage/rubbish, Boarding/securing, Tall grass/weeds, and Snow/ice. Code Enforcement Officers estimate the cost to repair this structure exceeds \$100,000. The estimated cost to demolish exceeds \$35,000.

Moermond: it looks like they purchased in August of 2020.

Yannarely: there have been consistent issues.

Moermond: so ongoing. When I stopped you a minute ago, you told me you bought with the hopes of rehabilitating and then covid started.

Petr Gnatyk: my wife had heart failure so we can't do it anymore. We want to sell.

Lenna Gnatyk: mom is the top priority right now, obviously.

Moermond: you've done a couple of things right out of the gates; you got the Code Compliance Inspection report done. What I am faced with, we need to check with zoning about whether this can continue to be duplex.

Petr Gnatyk: it is still a duplex according to the paperwork. I have a receipt for the Code Compliance for doing it as a duplex.

Moermond: right, and when they inspect it they look at the structure itself and how it was operating. That's what you bought. One of the things that struck me was we have a duplex on a lot size of 3,700 square feet. That's a small lot. The City normally requires that a duplex is on 5,000 square feet or more. The computer system says it is a legal nonconforming duplex. If it has been out of compliance for a certain number of years it reverts to its original zoning, which would be single-family. But that isn't always 100 percent the case. I would want to talk to the zoning people, we've had

two cases recently with different outcomes. Both cases the folks were able to rehab as duplexes, one involved more bureaucracy than the other. I wanted to mention it now before we get too far along.

The other thing about being a registered Vacant Building is the title can't transfer until it is fixed or gone. There are people and businesses you can partner with to get this done. It happens. Things happen that make it no longer possible to do the rehab themselves. There are people who can do it with you so you can still get some equity out of the property and hopefully recoup your investment. It sounds like you will need that partner.

Petr Gnatyk: so even if a contractor buys it?

Moermond: they could totally buy it. The most common way I've seen it is a purchase agreement—have you bought and sold a lot of properties?

Lenna Gnatyk: we bought it from a bank as is. At the time we assumed we'd be able to leave it vacant and it would continue to be a Category 2 Vacant Building. We just wanted to take our time. We had the funds but things happened. It ended up turning into this Category 3 Vacant Building which we weren't expecting, then we started getting letters about demolishing the house. My mom is already sick. This process has been very frustrating for us. We've tried reaching out to see what we could do to take time to rehab. This is the second house my parents are losing.

Moermond: not lost yet.

Lenna Gnatyk: unfortunately, we can't do anything about it. They need to find someone to sell it to.

Moermond: I don't know that you will lose it. I do see the property taxes are paid. For me that is a good sign. You aren't close to losing for nonpayment of taxes. You want to execute a purchase agreement that states somewhere that title won't transfer until it is completed.

Lenna Gnatyk: We were going to rehab it and I was going to live there. I keep hearing they've been cutting the grass and doing snow removal. That's frustrating because we've been doing the snow removal. Maintaining it. We don't live far away. Our neighbors park their cars on that lot, we made a deal that if they shovel they can park there. We keep getting letters---what did you do if I'm doing it myself? That's additional money down the drain.

Moermond: I see quite a few letters telling you to take care of business but not all have generated a work order. You have been doing the work, not 100 percent of the time. There are some photos in here. When the City does the work, there is a video record of the before and after.

Petr Gnatyk: last snowfall it was shoveled, I have photos.

Moermond: great. And sometimes when a property is vacant the neighbors are quicker to call it in. Also, if there are several properties on the street not being taken care of, it isn't uncommon for a neighborhood mom to call them all in. It is kind of legitimate, but you do get 24 hours from when it stops snowing.

Petr Gnatyk: last time I shoveled, but the City didn't plow so it was hard to get to.

Moermond: I know it is hard. The orders out there on the property are triggers for Mr.

Yannarely's team to give it a stronger look for this kind of action. The other thing you said when you bought it from the bank they didn't give you any sort of Code Compliance Inspection Report.

Petr Gnatyk: nope.

Moermond: I was going to look and see. I did see no TISH was done. That is another document used for disclosing property conditions to buyers. It was a registered Vacant Building so it wasn't an ok document to use, they should have done a Code Compliance Inspection Report. That's local law. Normally what I would do is give you an opportunity to look for that development partner. I would say if you knew someone in the real estate business—

Lenna Gnatyk: I have the purchase agreement from Capital LLC who wants to purchase. We knew what was coming when we got the fix it or demolish it letter. We didn't have the financial security to renovate, so we looked for possible contractors. They offered us less than what we paid; we won't break even. We just want to be done with this and move on. Focus on my Mom. They are interested in buying. I guess the addendum would be missing. We've given them the Code Compliance Inspection report and they've been out to look. We need to add that piece.

Moermond: that's one of the things. There are some others. If you are working with someone yes, they can't get it into their name until it is fixed. Next, there needs to be a \$5,000 Performance Deposit posted. That's been in some of your correspondence. That can be posted by you or them.

Petr Gnatyk: I won't put any money on it.

Moermond: that money is returnable when the Code Compliance certificate is issued. I'd normally see you post it, unless you have a partner, in which case I more often see them post it. They will need to do that. They get that money back when the work is done. We also need to see the contractor's bids. A schedule. Proof they have the money to do that work. That would talk to us about those items. We can copy them on a follow-up letter from this hearing so they know where the City is coming from. I hear you are stepping back; they're stepping forward. I would love to have a look at the purchase agreement. We can scan it in. We'll have a letter that goes out that explains what we are looking for.

Petr Gnatyk: we don't know about all of that. We were scheduled to close on the 23rd. They don't know anything about it.

Moermond: if they have done this before—

Petr Gnatyk: they haven't.

Moermond: The Code Compliance Inspection and other documents would have explained the Category 3 Vacant Building.

Lenna Gnatyk: that is why it didn't make sense to me. Nothing was mentioned about the title. We assumed they knew—we thought we could sell without any issues. I also had questions about orders about cutting grass. We required all mail to be sent to the property we live at. I don't think we're getting them.

Moermond: there was a Code Compliance Inspection done September 2020.

Lenna Gnatyk: yes, we paid for that. We wanted to know what needed to be done.

Moermond: yes, that should have been given to you prior to you buying the property. This goes to Council February 8. You're thinking you'll be closed by then, but you can't close. You want to wait until we get through this.

Lenna Gnatyk: right. In this moment, would the best plan of action be for me to call them to ask for that addendum, and continue with closing? What are the next steps?

Moermond: you need to change your purchase agreement so it has that addendum. We'll reach out to zoning about duplex status. You'll get a letter that lists these items. I'd like to continue this for 2 weeks, and I'd like to have people from Inklings to be part of the conversation. We prefer them in person, but we can call them as well. I'd like to see that \$5,000 Performance Deposit. There are a number of ways to deal with it, but it is my way of seeing you are in this and me slowing things down so you can find someone to work with. I look for that Code Compliance Inspection Report and the Performance Deposit. Those things tell me you are at the table.

Petr Gnatyk: I think he's hired local people.

Laid Over to the Legislative Hearings due back on 1/24/2023

6 RLH RR 23-2

Ordering the rehabilitation or razing and removal of the structures at 1618 HAMLIN AVENUE NORTH within fifteen (15) days after the February 8, 2023, City Council Public Hearing.

Sponsors: Brendmoen

Remove within 15 days with no option to repair.

No one appeared

Staff report by Supervisor Joe Yannarely: The building is a one-story, wood frame, single-family dwelling on a lot of 7,802 square feet. According to our files, it has been a vacant building since July 11, 2018. The current property owner is Barry A. Mackley, per Amanda and Ramsey County Property records. On September 15, 2022, 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 October 11, 2022, with a compliance date of November 10, 2022. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$54,000 on the land and \$195,100 on the building. Real estate taxes for 2020, 2021, and 2022 are delinquent in the amount of \$19,023.03, which includes penalty and interest. Property is scheduled for tax forfeiture July 31, 2023. The vacant building registration fees were paid by assessment on August 1, 2022.

As of January 9, 2023, a Code Compliance Inspection has not been done. As of January 9, 2023, the \$5,000 performance deposit has not been posted. There have been thirty-two Summary Abatement notices since 2018.

There have been fifteen work orders issued for: garbage/rubbish, tall grass/weeds, snow/ice and to cut vegetation obstructing alley right-of-way. Code Enforcement Officers estimate the cost to repair this structure exceeds \$100,000. The estimated cost to demolish exceeds \$32,000.

Moermond: not paying taxes for all these years and subject to forfeiture. City seems to be the property manager on this.

Yannarely: yes. Last time it looked shoveled, but looked like likely neighbor went by

with a plow.

Moermond: this went into the Vacant Building program in 2018 because of a water shut off. Seems to be abandoned and stop paying taxes. No responsible party. For some reason the owner signed for service. I don't know how he was found. The address is 1618 Hamline. We will recommend it is removed within 15 days with no option to repair.

Referred to the City Council due back on 2/8/2023

10:00 a.m. Hearings

Making Finding on Nuisance Abatements

- 7 **RLH RR 23-3** Second Making finding on the appealed substantial abatement ordered for 288 AVON STREET NORTH in Council File RLH RR 22-50.

Sponsors: Balenger

Recommendation forthcoming (pending CC certificate).

Joe Steinmaus, developer, appeared

Moermond: looking at this, it is 95% done. Sound about right?

Steinmaus: signoff on electric and heat. Two small things.

Moermond: how long to get this done?

Steinmaus: we're done, 72 hours. Just need inspectors back.

Moermond: this goes to Council Public Hearing January 25. You should have your certificate of Code Compliance. Sounds like you won't need more time.

Steinmaus: yep, we're just waiting for them to come pass it.

Moermond: you have two weeks, any hiccups let my office know.

Referred to the City Council due back on 1/25/2023

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

- 8 **RLH SAO 23-4** Appeal of Fadumo Abdi to a Vehicle Abatement Order at 779 CENTRAL AVENUE WEST.

Sponsors: Balenger

Grant to March 1, 2023 for compliance.

Fadumo Abdi, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: a Vehicle Abatement Order was issued December 15, 2022. It went to Fadumo Abdi at the address regarding a gray BMW with expired tabs and on an unapproved surface. Compliance date of December 22.

Moermond: the tabs are July 2022 tabs, six months expired. I have your appeal Ms. Abdi, why are you appealing?

Abdi: it is my son's car. I don't have the key and he isn't here. He has to take it out. I'm asking for time, they said it isn't in the right place. IT is too hard for me because of the snow. The car has issues too. I need time until the snow goes away. The summertime. I'm ok with everything but I need time to do it until the weather allows.

Moermond: so, you have two problems, you don't have the keys and you need to dig it out from the snow. You also don't know whether it works. Is that correct?

Abdi: yes.

Moermond: where is your son? Why isn't he dealing with this?

Abdi: he's not here now.

Moermond: he isn't around you don't have keys and you want until summer. That's much too long. If you don't have the keys, he could mail them to you. There's plenty of time for that. You got the orders December 15. We're already nearly a month out. Have you talked to your son?

Abdi: no. I want to do something, but I need time. It is too hard with the snow.

Moermond: have you talked to the owner of the vehicle about these orders?

Abdi: I can't.

Moermond: so the answer is no?

Abdi: I need time.

Moermond: it sounds like the Department was willing to give you additional time. They gave two weeks originally, then gave an extension to the end of January. That's six weeks. I'm willing to recommend the Council give until March 1 to deal with this. I'll be honest, if the City ends up removing the car because you haven't, there is a cost associated with that. The average cost is between \$500 and \$800 to remove it. That doesn't go to the owner of the car, it goes to the owner of the property where it is illegally parked. That should be an incentive to get this dealt with. It would probably be in your interest to have it shoveled out so when you get the keys you can move it or have to have it towed. You could store it inside the garage, that would be legal. You have some options. Ms. Martin, if Ms. Abdi has question about code compliance, who should she talk to?

Martin: Myself or Richard Kedrowski.

Moermond: we'll send a follow-up letter and include the contact information for two different supervisors who can help you with questions about what compliance will look like. You need to balance the cost of moving the car versus communicating with

your son. You don't need keys to have it towed to move it to another space. In the garage is just fine.

Martin: that is correct.

Abdi: I have two weeks, or until March?

Moermond: your new deadline is March 1. If you want more time you could talk to the City Council about it.

Abdi: so I have until March?

Moermond: March 1. We'll give you information on how to talk to the Council if you want to.

Abdi: that's where I go if I need more than March 1?

Moermond: you'll have to decide. We'll check to see if it is done. If it isn't Ms. Martin can have the car removed from your property. That is a firm deadline.

Abdi: ok. I can't do anything until February 15.

Moermond: and I'm recommending March 1, so if you can do it between February 15 and March 1 that's great.

Abdi: ok.

Moermond: we'll put this on the Council's agenda January 25.

Referred to the City Council due back on 1/25/2023

- 9** [RLH SAO 23-5](#) Making finding on the appealed nuisance abatement ordered for 952 EUCLID STREET in Council File RLH SAO 22-48. (Public hearing continued to January 11, 2023, Legislative Hearing on January 10, 2023)

Sponsors: Prince

Nuisance is abated and matter resolved.

No one appeared

Moermond: we laid this over to give the owner a chance to get it removed, Ms. Martin you said it is gone?

Supervisor Lisa Martin: it is compliance and the file is closed.

Referred to the City Council due back on 1/11/2023

1:00 p.m. Hearings

Vacant Building Registrations

- 10** [RLH VBR 23-3](#) Appeal of Bao Starr to a Vacant Building Registration Fee Warning Letter at 1239 BURR STREET.

Sponsors: Brendmoen

Waive the VB fee for 90 days (to March 1, 2023) to have Fire C of O reinstated.

Bao Starr, owner, appeared via Microsoft Teams

[Moermond gives background of appeals process]

Staff report by Supervisor Mitch Imbertson: the property is one unit building in the Fire Certificate of Occupancy program. This process started November 21 with a report from the Fire Department on an exterior fire at the property. Inspector Der Vue went out and at the time of her inspection and found police on-scene for some other ongoing issues at the property. Found minimal fire damage. It had a number of interior issues found, nonworking smoke and carbons and sleeping rooms added to the basement without proper egress. Immediately declared unsafe. Inspection set up for the next day, which is typical for safety issues like that. That was November 22. The inspector was unable to get in or reach the owner, the property was condemned due to those immediate safety issues. Comply or vacate date of November 28. Vue went out on the 28th and tenant allowed access and confirmed the beds in the basement were removed but smoke and carbons weren't dealt with, along with boarded windows. It was referred to the Vacant Building program for monitoring.

Moermond: so still occupied on the 28th?

Imbertson: yes. The 29th an updated condemnation letter was sent with the most up-to-date list of expectations.

Moermond: I don't see a date to vacate on this. It was supposed to be vacated by the 28th, and it wasn't vacated or fixed?

Imbertson: correct, that's on the November 22 letter. Then the process is to refer to Vacant Building program and was already to have been vacated.

Moermond: so, a building with a fire, though the fire department wasn't called out for that. It had a shooting. The fire report indicates firefighters found no fire and a shooting in the dwelling hours earlier. They found soot-pattern on the roof and eaves, no one cooperated during investigating. Mr. Dornfeld, did your inspector find it occupied?

Supervisor Matt Dornfeld: December 1, 2022 Hoffman did find it appeared to be occupied. He opened a Category 2 Vacant Building per that condemnation referral.

Moermond: what are you looking for this afternoon?

Starr: it is occupied by my brother, the tenant. I didn't know these things were going on until I got a call from the St. Paul Police Department. I was in the process of taking my brother to court to evict him. No idea these things were going on until the police call. My intention was to fix it and hopefully rent it again. I just haven't put anything into it since I'm waiting for my eviction court case, which was this morning. Der sent me the list of things to fix it, I wanted to wait until after this hearing and the Court date. My intention is to make it livable again.

Moermond: your brother still lives there?

Starr: yes, according to what Der told me. I haven't been able to get ahold of him. He blocked me after I sent the eviction letter. Der said at inspection she told him it was condemned and he needs to be out. She told him to call me many times. He hasn't. I did ask my brother-in-law to tell him he wasn't allowed to live there. Again, what he does, I don't know. I am not even in the same state. I even told the police, they said it

was a flop house and there is a possibility they will try and get back in. They said they would drive by and make sure it wouldn't happen. They told the neighbors to report it to the police. That's what I know. I had to have a locksmith change the locks to get Der in. My brother-in-law had to let her in that second time.

Moermond: you said there was a hearing this morning? What was the outcome?

Starr: I'm still waiting for my attorney to get back to me. I haven't heard from him yet. The first court hearing in December was rescheduled to this morning. Still waiting on those results.

Moermond: it sounds like Der Vue has been a good property manager for you. That isn't her job. It is your responsibility. You otherwise seem unwilling or unable to hire someone to take care of business on the ground here. That is troubling and I'm sure part of why the situation got so bad at the property. You do have responsibilities.

Starr: I'm not deflecting responsibilities. I only bought it to help him. He was paying the bills and it wasn't until he stopped paying I followed up and asked my brother-in-law. I hired an attorney to evict him, that's when I got the call from the police. I had no knowledge.

Moermond: and what are you looking for today? You've allowed it to continue to be occupied 5 weeks and counting. You want the City to do you a favor, what is that favor?

Starr: just to give me time to bring it up to code.

Moermond: and who is going to do that for you? You don't sound like you're here to do that. What is going to happen?

Starr: my nephew is going to school to be a real estate agent, will help me manage for a while, hire someone to fix it, have my agent manage it for me.

Moermond: it went into the Vacant Building program December 1. A 60-day waiver of the fee takes us to February 1.

Ms. Starr, where I am at is that the items that need to be corrected requiring permits have to do with window replacement and permanent wiring for extension cords.

Imbertson: I agree with you. Possibly windows, depending on what needs to be done to repair. The other items just appear to be maintenance that wouldn't need a permit necessarily.

Moermond: the question is under what conditions can the property be reoccupied. Looking at this list, I'm thinking that there wouldn't be a lot permit-wise so instead of a full Code Compliance inspection. The part I'm struggling with is you've allowed it to continue to be occupied even though it has been condemned and ordered vacated which makes me feel you aren't operating in good faith on this. On a balance, inspection report I have seen worse, and your Certificate of Occupancy can be reinstated but you haven't been responsible in managing things which has translated into significant problems for the City and the neighborhood. Fires, gunfire, flophouse. Sounds like the worse neighbor in the neighborhood. You haven't gotten it emptied. I don't know what your lawyer is doing but it is troubling to us.

Star: how would you suggest I stop him since I'm the irresponsible one not doing anything. The officer just told me they would keep checking it out.

Moermond: I am not your lawyer, nor can I give you advice, but perhaps you should have had a property manager on the ground here. You being a long way away exacerbates the problems, you're right. But you still have responsibilities. I'll ask the Council to waive the Vacant Building fee for 90 days, which means if you can have your Certificate of Occupancy reinstated by March 1, 2022. If you can't get it reinstated, you will have that Vacant Building fee. That is something you could appeal when it comes forward as a tax assessment if it takes longer than the 90 days. Get the inspector back in there, or those fees come into play. Boy I hope those sidewalks are being shoveled. Mr. Dornfeld is going to be on top of that. We just got 13 inches of snow. This is basic property management every owner has to do.

Star: I understand.

Moermond: I hope things worked out for you in court this morning. Mr. Dornfeld's folks could empty the building if they wanted to.

Dornfeld: I just had a text from Inspector Hoffman and he feels like the property is currently vacant. He was there recently. Take that for what it is worth, otherwise we'd send orders and then St. Paul Police Department would assist with vacating and we would board up the house and bill the property owner accordingly.

Moermond: a 90-day waiver of the fee. We'll send this to Council January 18. You'll get a letter concerning this.

Referred to the City Council due back on 1/18/2023