



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Tuesday, November 28, 2023

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 23-51](#) Ordering the rehabilitation or razing and removal of the structures at 1726 FOURTH STREET EAST within fifteen (15) days after the November 8, 2023, City Council Public Hearing. (Refer to November 28, 2023 Legislative Hearing)

Sponsors: Prince

Layover to LH January 16, 2024 at 9 am. PO or development partner to submit 1) purchase agreement (if applicable), 2) financial documentation, 3) affidavit dedicating funds, and 4) schedule, work plan and bids.

Brice Michka, attorney o/b/o BPH Homes, appeared

Staff updated by Supervisor Joe Yannarely: both Code Compliance and Performance Deposit were done. No problems at the property.

Moermond: next thing we talk about is financing, plans, moving towards rehab?

Michka: the owner was going to find a buyer with a purchase agreement, we don't have one yet. We planned to do that once we received the Code Compliance report, which we got last Tuesday. So only 2 business days ago. We did have people interested but not having the Code Compliance was having issues. My client is hoping for additional time to find a potential buyer, if not time to put together the bid, work plan, financing to rehab themselves. No purchase agreement and no time in 2 business days to put together the necessary items.

Moermond: and we're operating on an edge in terms of the code not allowing for the marketing of the property so how this comes about is as a business partnership. You're in it until its done, which I know is what is in the addendum but the phasing is important. It may be in your interest to find out more about what those bids may look like. I'm not sure that has much cost, especially for the size of your client.

Michka: I'm not aware of the size of their business.

Moermond: They own about 40 properties. I see a lot of them in this room. Which

makes me think they have people they work with regularly to do these things. I am comfortable giving time but I don't want them to be set up so one happens after the other. I want them moving in parallel so if something falls through you have a backup.

Michka: that's my client's hope as well. They either have a partner or have the items together to do the rehab.

Moermond: right, I wanted the understanding they not be sequential. What is your ask?

Michka: they're hoping mid-January. Six weeks from now. Some extra time to pull it together.

Moermond: Mr. Yannarely, have you reviewed the Code Compliance?

Yannarely: not in depth, but it isn't extensive.

Moermond: a lot of plumbing. 47 items. Tuesday January 16, and if that point in time there will have been a lot of time even with holidays. Come forward with rehab proposal, money, schedule, bids and if isn't you, someone else would be bringing that along with the associated contract. Continue to maintain the property.

Laid Over to the Legislative Hearings due back on 1/16/2024

- 2** **[RLH RR 23-57](#)** Ordering the rehabilitation or razing and removal of the structures at 1971 NORTONIA AVENUE within fifteen (15) days after the December 20, 2023, City Council Public Hearing.

Sponsors: Prince

Grant 180 days to rehabilitate or remove the property.

Lenny Frolov, owner, appeared via phone

Moermond: we reviewed your plans. Thinks are looking good. Regarding your timeline, the third bullet talks about having inspectors out to see what can be undone. The trades inspectors may say that that is what the rough in is going to be. It may be you have a couple rough ins. It doesn't change my opinion on the plan, which is very good, just wanted to mention that. It shouldn't be an issue. Bids looked good.

Yannarely: it looked good.

Moermond: we'll recommend the City Council gives you 180 days. This has its Council Public Hearing December 20th. The department will begin issuance of permits beginning tomorrow morning. This is a Category 3 so permits must be pulled in person, not online. You're good to go.

Referred to the City Council due back on 12/20/2023

- 3** **[RLH RR 23-31](#)** Ordering the rehabilitation or razing and removal of the structures at 455 ROBERT STREET SOUTH within fifteen (15) days after the August 2, 2023, City Council Public Hearing. (Public hearing continued to September 27, 2023)

Sponsors: Noecker

Layover to January 16, 2024 at 9 am for further discussion. Purchaser to submit 1) bids and schedule, 2) proof of financing, 3) affidavit, and 4) post a \$5,000 PD by COB January 12, 2024.

*Thomas Radio, attorney representing ownership, appeared
Jeff Hauge, managing director of Wakota Commercial advisors, appeared
Bob Craft, o/b/o WSCO, attended but did not speak*

Moermond: Councilmember Noecker was looking for some faster progress. I know you've had it on the market, which I haven't checked lately. Tell me what's going on.

Radio: we have a signed purchase agreement by a local restaurant owner, not a franchise. They own other restaurants in the area. It was signed fully yesterday; we are concerned about sharing details because they have a due diligence time period. We have other interested parties if things fall through.

Hauge: I've learned in my 32 years in commercial real estate that deals aren't done until walking away from the closing table. This group came and spent an hour in the building, they loved it. They are local, they are experienced, and they are an owner operator. In this market you get a lot of bottom feeders trying to get property for next to nothing. Typically, investors. They'll dress it up and lease it to an end user. We had a lot of that. Also, a lot of legitimate buyers. This group stepped forward and were ready to do it. The buyer signed last week, but with the holiday.

Moermond: what's the due diligence period?

Hauge: 45 days. There are certain items we have to deliver, then closing within 20 days. If something unforeseen comes up during the due diligence period, we've given the ability to extend for 30 days.

Radio: at best, 95 days from yesterday to closing, with the extension.

Moermond: when the due diligence time period has elapsed it is when we could discuss rehab plans without fear of disclosure?

Hauge: I think that is fair.

Moermond: I was thinking to set it up closer to the 75-day mark, we have our check in and if you say the due diligence time period was extended we just move it down the line, but if we're ready to go we don't want to stop them pulling permits to get operational. This is very good news. I think January 16 is the closest hearing date. If we've been extended we'll know, and if it hasn't we'll have a conversation about what we need to see as far as bids, plans, etcetera. I will update Councilmember Noecker's office, that makes more sense than sending it back to Council Public Hearing for consideration.

Radio: I want to extend my client's appreciation to you and the City Council for giving us time to put this marketing in place. I wasn't expecting this quick of a purchase, but Jeff worked his magic. Without the building the land is problematic in its value. Wisdom in saying bring it to a safe level and market it. I am pleased it is local with established locations already. Good formula for success. You want someone with experience, resources, and vision.

Moermond: and I won't ask for a purchase agreement with names redacted or anything like that. Likely something at the end of the day.

Laid Over to the Legislative Hearings due back on 1/16/2024

- 4 **RLH RR 23-44** Ordering the rehabilitation or razing and removal of the structures at 1213 WOODBRIDGE STREET within fifteen (15) days after the September 13, 2023, City Council Public Hearing. (Refer to Legislative Hearing October 24, 2023)

Sponsors: Brendmoen

Layover to LH January 16, 2024 at 9 am for further discussion. PO to submit 1) letter dedicating financing and 2) bids and schedule.

Michael Sauer, attorney, appeared via phone

Moermond: looking at your situation, it has been a while since we've talked. We have an awkward situation. You're in a Catch 22. You can't foreclose because if you foreclose—

Sauer: the property went to foreclosure sales. We settled with insurance. Court action was filed to reduce redemption period to 5 weeks, I believe it was filed in the last couple of days. I settled the mechanic's lien with Rest Pro last week, they'll be releasing it. We also have a vendor that has told us the estimated repair costs is \$124,972 and will take 125 days to do the repairs based on that Code Compliance report. I gave them the construction estimate and timeline chart I used before. In the contractor's opinion Rest Pro did \$35,000 worth of demolition and rehab work, but we settled that. \$125,000 left to get it into acceptable condition. I'm going to have that documentation to show you, that's what I'm working on now. We've made quite a bit of progress. Paying Rest Pro was a huge debt, but the court action and redemption period.

Moermond: when do you anticipate you'll get your 5 weeks?

Sauer: they're typically 15 to 20 days from date of filing. I think it will be about 15 days to the hearing, so barring any legitimate objection, which I don't foresee, it would be 5 weeks from date of that Court Order.

Moermond: any steps you would need to follow after that before your folks are ready to pull permits?

Sauer: the settlement we reached with Rest Pro involves Ms. Roark. I'm not speaking with her. Once they go away, one priority is to clearly establish my client can pull permits whether that's consent from Ms. Roark, or another way. In my opinion from loan documents, we have that right. She is agreeing to settlement, and I do have faith she will work with us if we need too. 5 weeks isn't that long to get everything ready. But we can have it ready to go.

Moermond: your general contractor has gone through? That's someone who is managing their own subs?

Sauer: yes.

Moermond: if we talk January 16, that is more than 50 days from now, which should take into account the 15 plus the 35. You'll be down to getting schedule, plan,

Yannarely: I was just out there and someone jacked open the garage door and the back side. It is open to entry, if it isn't secured within a week the City will do it. It is full of junk. Minivan. Mattress. Tires.

Moermond: a whole week? Ok.

Sauer: we did hear about that two different ways. The vendor told us after he was out there, they will be securing it. A local property investor called me and indicated he was contacted by someone at the City to reach out to me to try and acquire our sheriff's certificate after the sale. He'd walked through the property too, so he could make an offer on it. I think you guys work with him quite a bit. I've worked with him too--

Moermond: and for the record we have never referred any investor EVER to somebody like that. No.

Yannarely: he sifts over records.

Moermond: we do have a couple of people who read over our records carefully as they shop for real estate, which is different than us saying "hey, would you go look at this."

Sauer: I questioned him and he kind of gave me some detail that was surprising, but it doesn't matter. We don't care, but I know him. I questioned why he was calling and how he got turned onto it. His name is Dave Zins.

Moermond: we are in a good place and will continue this to January. You know the garage is open. I have seen not one but two garage fires in the last couple of months. I say that pointedly because it is a big concern, especially this time of year.

Sauer: I understand the problem with alternative heat sources. One week to finish securing.

Moermond: and I would have made that quicker, but the Department did the orders.

Referred to the Legislative Hearings due back on 1/16/2024

5 [RLH RR 23-61](#)

Ordering the rehabilitation or razing and removal of the structures at 975 REANEY AVENUE within fifteen (15) days after the January 17, 2024, City Council Public Hearing.

Sponsors: Yang

Layover to LH December 12, 2023 at 9 am for further discussion. PO to submit 1) proof of financing, 2) affidavit dedicating funds to the project, 3) work plan, new bids and schedule by COB December 8, 2023.

Olympia Haidos, owner, appeared

Moermond: this is a new file, so different than the first two conversations. I'm going to start by asking are you Olympia Haidos ?

Haidos: yes. Stavros is my husband.

[Moermond gives background of appeals process]

Haidos: and I would like you to help me as well because we've already been frustrated

with City inspectors.

Staff report by Supervisor Joe Yannarely: The building is a two story, wood frame, four-unit dwelling on a lot of 6,350 square feet. The Fire Certificate of Occupancy was revoked on December 9, 2015; the property was referred to Vacant Buildings with files opened on February 11, 2016. The current property owner is Stavros Haidos/Olympia Haidos, per Amanda and Ramsey County Property records.

On August 30, 2023, 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 September 11, 2023, with a compliance date of October 11, 2023. 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 \$80,000 on the land and \$302,000 on the building. Real estate taxes are current.

The vacant building registration fees were paid by assessment on March 2, 2023. A Team Inspection was done February 15, 2019 and has since expired. A new Team Inspection application was received on October 12, 2023. The \$5,000 performance deposit was posted on October 12, 2023. There have been nineteen Summary Abatement Notices since 2016. There have been five work orders issued for: garbage/rubbish, boarding/securing and tall grass/weeds. Code Enforcement Officers estimate the cost to repair this structure exceeds \$80,000. The estimated cost to demolish exceeds \$35,000.

Moermond: I have a two-page Fire report but I don't have anything about the estimated damage from the fire. That was what led to the revocation of the Fire Certificate of Occupancy. It says they arrived and found two floors of house with heavy content. Occupant heard a smoke detector's sound and saw flames from the hutch on the east wall of kitchen. The area of origin was east wall of kitchen, electrical in nature. Heavy contents which not so coded language for perhaps a hoarded place.

Haidos: that's all been repaired though.

Moermond: I'm trying to create a record of how we got here. We need to document that and then take things step by step. I needed to know what caused its Certificate of Occupancy to be revoked. Is this a four-plex?

Haidos: yes.

Moermond: not a small place. It has been this way for a few years. I imagine you had insurance issues and that can often be more difficult than anything. You want to fix it, Mr. Yannarely said we have a new Code Compliance application as of October 12th. Mr. Yannarely, no report yet? That's unusual. You should have had it already.

Haidos: last time we got it very quickly. We already had the list Mr. Yannarely gave us, and 80% is done. We pulled all our permits. Our electrical we asked to pull it again in July and were denied again and unable to do our final. Plumbing is finalized. Mechanical is done, with permits. We've been dealing with Robert Humphrey.

Yannarely: it comes to the point of work must have just lapsed and that's where the Code Compliance issue comes up.

Moermond: can we talk about permits and where we are at.

Yannarely: the plumbing permit has been finalized, as well as warm air. There is an open mechanical. Open electrical. Then of course the building permit.

Moermond: when were the open permits?

Yannarely: September 2020 they were pulled.

Moermond: so probably need to be reissued. And the Code Compliance report hasn't been generated at all?

Vang: no.

Moermond: you've had people doing work, you are well on your way. In my experience when permits get to be that old, they'll ask they be repulled and you can continue.

Haidos: 2020 we hit Covid and things stopped. That's one of the major reasons. Then we came back and I couldn't find the plumber I had paid. Robert Humphrey was more than willing last summer to allow my new plumber to complete the work. I wasn't told this situation would happen where I couldn't bring in the next person to finish the job. Nothing was told that this was going to happen to us. July of 2023 I had my electrical contractor, the permit was expired due to Covid, and then never heard from anyone after he applied. There was never any follow up why it couldn't be issued. The inspector, Randy, said—

Yannarely: the electrical permit goes to August of 2019.

Haidos: and Randy was fine to do the final since everything was done, and he applied for a new permit, never heard anything and then mid-August all this stuff started happening. We've been trying but we always get sidetracked with them I guess. We had our final inspection in June of this summer. Why we would do things in June and then not in July. We had to pay \$745. Put down our \$5,000 Performance Deposit. I know all the trades came in and said everything is basically done.

Moermond: I get you want to pick a fight here with the City. I don't know the history with Department of Safety & Inspections and the back and forth. I see a file opened with a fire many years ago. They have the file open for a number of years. Obviously Covid comes. You had a team inspection. Those do expire after a year. They have to happen again to pull permits. If grace was granted on permits that is nice, it doesn't mean it automatically happens. Do I understand inspectors wanting to work with you? I love that there is good communication. I hear the Vacant Building team; it isn't an accident they're saying we have to call the question to get it done. I'd like to figure out how to do this because I can't un-ring the bell that this got named as a nuisance building. Regardless of label it is the same steps to get it out, with the Performance Deposit, and you are proving to the Council you can do it, not Mr. Humphrey. The rest are the same steps. Different level of scrutiny. I can lean on the department and get that list kicked out quickly. I don't think it is ok you had to wait for it. Once you have that it sounds like you have contractors you were working with?

Haidos: we have all our old bids and contractor. They're just waiting to final so they can be paid.

Moermond: of course. Without seeing the Code Compliance list, it could be that something is different now. Sometimes roofs leak. Change in environment leading to

change in list. I don't hear that's the situation here but I am putting it out there. If it hasn't been signed off yet, it may still be on the list. Doesn't mean it wasn't done, it just wasn't finalized. When you get it, don't panic. We just need to work through permits. You have electric, building and mechanical ready to go?

Haidos: mechanical was finalized, they just wanted the vents clean after their last inspection.

Moermond: we'll get the list and get you squared away. This goes to City Council January 17th. If we conclude before then with all the pieces in place, we can greenlight permits prior to January 17th. I want to make sure you have that since you are teed up and have been spinning your wheels. You'll probably need an updated bid with the remaining items. 2 items your contractor has done, no final on the old permit, but the other 16 items are done, here's what is left to pay on the bill. Basically, a summary. That's all I need. That's usually the problem we run into with bids. It needs to address the items on the Code Compliance list.

Haidos: I have invoices I have to pay. I feel terrible I'm not able to do it because it isn't finalized.

Moermond: it has been maintained?

Yannarely: yes. The anniversary date is February, I would suggest not paying it.

Haidos: we've always paid it.

Yannarely: they've raised the fee.

Haidos: if that can be waived—

Moermond: we aren't having this conversation now.

Haidos: it has taken so long to get a list, that's another issue. If I haven't paid I can't pull permits.

Moermond: I know how it works. I get it. I'm working with you. We'll get that list out and in the meantime you have a good idea of what I need. Updated bids. Schedule. No matter what once the package is together I'll ask for the standard six months. If you're done faster, great. The sooner out, the less the fee. I want you to have the opportunity to do that. I'd like to talk in a couple of weeks so we can get you greenlighted sooner than later if we can so you can get permits rolling and people finishing before holidays. The next time I do this is December 12th. If we can get you that list within a couple days you can talk to your contractors and pull it together and finish our conversation on the 12th.

Haidos: as soon as we have the list we can apply for permits?

Moermond: no, approval through this process first. That is what being a Category 3 means. The level of scrutiny is the package has to be approved by Council, not Bob Humphrey. I really do want you to be able to get this done.

Haidos: when does the clock start ticking?

Moermond: the council votes January 17, giving 180 days. That day starts January 18,

or the date the mayor signs. Not the date the permit is pulled. I think a couple of weeks sounds doable and get you on your way.

Yannarely: that means permits could be issued on the 13th .

Moermond: that is what I am leaning toward. [discussion of City Council voting process]

Haidos: am I able to attend remotely?

Moermond: as a general rule no, not for these types of cases. [examples discussed] This is significantly complex that I'm not comfortable doing this remotely so we're all in the same place.

Haidos: my father is having surgery and I'm not sure what the date will be. I'm worried that may conflict with this.

Moermond: when Ms. Zimny sends the letter, if you have materials together ahead of time, by email, and we can review those are things we can check off the list and we may be able to do it before we sit down if it is reviewed by then. That is probably the best alternative now. Take it as it comes for you.

Laid Over to the Legislative Hearings due back on 12/12/2023

11:00 a.m. Hearings

Correction Orders

6 RLH CO 23-12 Appeal of Peyton Hurst to a Correction Notice at 823 ENGLEWOOD AVENUE.

Sponsors: Balenger

Grant the appeal as property has been functionally deconverted to a single-family home use, noting zoning is correct for duplex use pending code corrections for compliance with building code.

Peyton Hurst, owner, appeared via phone

Moermond: I think our goal today is to wrap this up. We've talked before and you were going to follow up with Melissa Doody in plan review because we have zoning for a duplex. We had work done without permits. Now it is unringing that bell and making sure things are in alignment to continue using it as a duplex. I saw there was a permit pulled, where are you at.

Hurst: I provided measurements of Melissa and Nathan confirming ceiling heights, roof meeting wall at highest point. Things like that. Bathroom dimensions. All that stuff. It sounds like things are in good working order. The one piece is having a code compliant staircase. The one I have is an inch or two narrow to meet code. The only answer Nathan has is everything looks good but I'd need an exterior code compliant staircase to the second floor so they have a code compliant means of egress.

Moermond: could you describe what the flaw is, is it 2" in the width of the stairwell?

Hurst: I don't know what the stairwell issue is. I know the door swing itself is an inch too small. The standard 32" door but with the door open you only get 31". I know that isn't what it needs to be. As far as width of staircase itself, I don't know if it qualified or not. I would have to check. I do know the swing itself isn't acceptable.

Moermond: we're going to send you a building code appeal form. If you are talking about 1" it is a reasonable conversation to engage to see if you can get a variance from the Building Official.

Hurst: I'd love to at least try. I haven't received a formal quote but I'm guessing minimum \$10,000 to \$15,000. I'd love to try. I had the tenants move out at the end of November. I can't guarantee I will do the stairs and move forward as a single-family home. If its \$20,000 I can't do it now. I can't put them in a position where they have to find housing in January. There's no one up there anymore, at least until this is sorted out. If I know I'm doing the stairs it will be different, but until I get that quote that is where I am at.

Moermond: I'll recommend the Council grant your appeal based on the fact you have functionally deconverted this to a single-family home use and note zoning is correct for duplex use pending code corrections for compliance with building code.

Referred to the City Council due back on 12/13/2023

1:00 p.m. Hearings

Vacant Building Registrations

- 7 **RLH VBR** Appeal of George Mathews to a Vacant Building Registration
23-71 Requirement at 189 MAPLE STREET NORTH.

Sponsors: Prince

Waive the Vacant Building fee for 90 days (to February 15, 2024) to have permits finalized and Fire Certificate of Occupancy reinstated.

George Mathews, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Mitch Imbertson: this is a 2-unit residential building in our Fire Certificate of Occupancy program. We had a renewal process started in April 2023. Inspector had issues getting in at first, after being notified by the manager he was no longer managing, he spoke to someone in July. In July we determined it was unoccupied and would be undergoing renovations before reoccupancy. We revoked the Certificate of Occupancy and sent a notice it needed to be recertified prior to being reoccupied. We monitored it for a few months and in November it was referred to the Vacant Building program as it was still unoccupied Current electrical and plumbing permits that are open.

Moermond: you had staff who determined it was unoccupied July, were there previous appointment letters that went out prior to that?

Imbertson: there were. The first appointment letter was sent March 17, then again April and May and June. The inspector's notes indicate he was notified in June the

Responsible Party was no longer involved so we changed the mailing address to the owner.

Staff report by Supervisor Matt Dornfeld: we opened a Category 1 Vacant Building on November 14, 2023 per that referral. At the time inspector Hoffman noted it was vacant and secure and maintained.

Moermond: with a Category 1, what does it mean in terms of getting out of the Vacant Building program?

Dornfeld: if the trades permits are finalized and Certificate of Occupancy reinstated we would close the file without having to do a Code Compliance Inspection.

Moermond: Mr. Mathews, the letters are addressed to Gemini Ownership Team, LLC. Is that you?

Mathews: that is me, though the title was changed to Stonewood Assets LLC during Covid.

Moermond: you probably want to change that with the County. This was pulled from Ramsey County taxation. 651-266-2000. Where are you at with your rehab? Permits are pulled. \$10,000 in permits pulled. Tell me more.

Mathews: the plumbing I put in new sewer from house to main line. The plumbing stack is all new PVC. New freshwater lines, ability to separate utilities. Electric baseboard in basement and second floor unit to separate utilities. We're upgrading a lot of electrical to code. I had to open up the wall when doing the first-floor bathroom, so figured I'd update the electrician. He's licensed, but also a friend, so I'm at his mercy as far as timing. A couple of walls are open I'm waiting for rough ins for. Second floor the electrical inspector came and gave me the ok to close the walls up there. That will need a final. Then I'll move on to the first floor before Christmas and close those up and get plumbing finalized. I am doing new fixtures in bathroom and kitchen on the first floor.

Moermond: electric is mostly done on first floor and plumbing is installation of fixtures. Timeline you were hoping to get things done by the holidays. The plumber on the same timeline?

Mathews: hopefully. Electrician wants to be done before the plumber comes in.

Moermond: sounds reasonable. You say holidays. That puts us out a month. Realistically it seems it may take longer considering corrections.

Mathews: that's likely. It depends on how some gets done. It isn't a ton of counter space so I don't think I need as many outlets as inspector thoughts. So, some adjustments. Once I get those done I have two walls to drywall and then cabinets. Once the permits are done it isn't a ton of work. Should be a couple weeks for that.

Moermond: I will ask the Council to give you a 90-day waiver on the Vacant Building fee. It isn't out of the program. Its vacant and has major work going on, but easier for you to move on without that bill and you can spend that money elsewhere. That takes us to February 15, 2024 which seems about double what you are estimating. That also includes having your Fire Certificate of Occupancy reinstated as well. Reach out to the inspector and do that walkthrough.

[discussion of pending assessments and appealing those]

Moermond: that also gives you a point of conversation for the folks you are working with, it speaks to everyone if there's a bill hanging on it for you.

Referred to the City Council due back on 12/13/2023

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 8 **RLH VO 23-37** Appeal of Ronald Staeheli to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 358 ARBOR STREET.

Sponsors: Noecker

Recommendation forthcoming.

*Ronald Staeheli, owner, appeared
Vicki Christensen, describing herself as tenant, appeared*

Moermond: you've been through this before. It is the same process as before.

Staeheli: it just seems like this is the only government entity that doesn't believe she lives there. Her license is there.

Staff report by Supervisor Mitch Imbertson: residential duplex in the Fire Certificate of Occupancy program per a previous appeal. Inspection report from May that was also appealed. Process was on hold during that appeal. After that was concluded saying it needed to remain in the Fire Certificate of Occupancy program, we resumed rescheduling a reinspection of the property. That was rescheduled a couple of times and then was partially reinspected October 13. At that time, we had no work done that I could observe. Wasn't met for the inspection. Lower unit tenant allowed access when I explained why I was there. Next appointment was set for October 27. Also not met for that appointment. No access to garage or upper unit. Inspected the lower unit and nothing was done that I observed. Same tenant living there. They stated they weren't aware of any change in tenants or occupancy of the property nor any work having been done since the inspection process started.

After reviewing information from the previous appeal, we decided to move forward with the revocation for noncompliance. Notice was issued to comply or vacate by January 2 at 1 pm. A notice was also posted at the property on both units and garage on October 31, as well as given to all the tenants.

Staeheli: I do have on my phone the picture of Diane's license.

Moermond: we did redact information to try to prevent identity theft.

Staeheli: Diane lives there. Certificate of Occupancy doesn't matter. But since I don't know how this will land I will go through some things. We did have a conversation in August. You mentioned the guardrail is lattice. You mentioned new nails.

Imbertson: the lattice material with no additional supports meets building requirement.

Fasteners or material.

Staeheli: I'd like a better description for reasonably free from dampness in basement. It is a 1909 house with rocks around it. It is a wet basement.

Imbertson: additional moisture during reinspection, October 13. Standing water on the floor in multiple areas in the basement. Puddles of water.

Staeheli: I've owned it for 43 years; I don't know how to make it stop. It has always been there. Any suggestions?

Imbertson: I'm not familiar with the site. Could be better grading, rainwater from roof. It could be a hole in the foundation.

Staeheli: there aren't gutters.

Moermond: your job is to make a determination about whether the dampness exists, you aren't a basement contractor, Mr. Imbertson?

Imbertson: correct.

Staeheli: exterior behind garage and fence. Halloween decorations there, I can't store them there? Number 11?

Imbertson: the order was accurate based on what I observed. I don't have a photo of the items.

Staeheli: does that create a nuisance or harbor rodents?

Imbertson: the part about rodents is a reference to the legislative code. Nuisance OR harboring rodent.

Staeheli: but it's a nuisance?

Imbertson: I observed it aligning with the code requirements.

Staeheli: there has never been a vent cap on the fireplace. Loose deck boards is just a screw. Number 14, that isn't my fence. The broken fence behind the deck isn't my fence.

Imbertson: it is in multiple areas, some at lot line and some into the property.

Staeheli: I know one of the deck supports leans a little. [reviews photo] That isn't my fence. The garage isn't part of rental anything. I keep things in there.

Moermond: but you do rent the garage.

Staeheli: not anymore.

Moermond: you met a renter there?

Imbertson: I fielded a phone call since the revocation was posted with concerns about having to vacate the rented garage. Garages are typically inspected.

Staeheli: Number 34, I'm concerned because we textured those walls 40 years ago. It has separated from the lathe in some areas so there is a noticeable bow. It isn't cracked or missing, it is bowing. I don't mind patching a crack but I don't want to have to bust out the loose plaster that has held there beautifully for 40 years.

They are going to be pissed about the entry door because they like to be able to reach in if they forget their keys. The rest is half a day. But it is still my position and everyone's position, that she lives there. St. Paul water, Xcel Energy, DMV, OFS.

Moermond: Ramsey County shows 358 Arbor as the address for Ms. Staeheli. When this was looked at before, it isn't out of the blue, when the City investigated in 2019 the Xcel bill was going to MS. Staeheli there, but water was going to Blackhawk. The Voter registration was moved to St Paul and rejected. Then reregistered in St. Paul. There are moving pieces that made it non-residential for her purposes. You're saying you've tried to correct those issues on paper and getting that in order. I know back in 2019 mail bounced back from Fire Certificate of Occupancy, our mail bounced back, saying she didn't live there. I would say right now what I am looking at, and I do see someone here to testify, the thing tripping me up is that both of you are listed as the homesteaders at the Blackhawk address in Dakota County. That does contradict the information given to Ramsey County. In the past Ramsey County elections did work with Dakota County to make that finding. It was looked into and had a finding. Now the facts are changed so I understand that should be looked at. If we need to submit additional information, you can do that.

Right now, the question is should it or should it not be in the Fire Certificate of Occupancy program as owner occupied. If it is or isn't, what orders continue forward. You've addressed parts as part of the preliminary conversation. Do you have more?

Staeheli: no.

Christensen: I am supposed to move out January 1, unless we can move it to February 1. I'm fortunate to have a section 8 voucher, but there is such a housing shortage. The City came up with 30 plus booboos. My landlord has been there maybe half a dozen times in 10 years.

Moermond: when you say your landlord, who are you referring to?

Christenson: he [Mr. Staeheli] is my landlord. The few times she's been there she's screamed at me. Diane has as well. They aren't pleasant people.

Moermond: so, you took time out of your day to come down and say they aren't residents?

Christenson: they are not residents. They put a box on front with her name.

Moermond: this is a duplex, who rents the other unit?

Christensen: Mary Kay Brennan rents the other unit and there's a disabled man living in the garage who is using my electricity. It is coming off of my meter. It isn't kosher. This is kind of a blessing to have to move, but I need more time since there's a housing shortage. My car is in the shop, will be over \$2,000. I understand there may be help through the County to get help moving. I have a tiny SS disability check. It is a blessing to have moved to Minnesota from South Dakota. I need to get out of there. This is where I'm at. I made the mistake of renting from him.

Moermond: Ms. Staeheli doesn't live with Mary Kay?

Christenson: no.

Moermond: before you arrived Mr. Staeheli indicated the gentleman who was there is no longer renting the garage.

Christensen: he's still there. His car is still there.

Moermond: I unfortunately cannot help with housing, but we'll give you a brochure for House Calls. Maybe they can provide direction on how to pursue this.

Staeheli: am I allowed to ask questions, or not?

Moermond: normally we don't do that, usually as part of a public hearing people come to testify, say their peace---you can say something, that's fine. What comments do you have I can follow up on?

Staeheli: Diane lives there. She lives with Mary Kay upstairs. The entrance is on a totally different side of the house. She has entrances in the back and the front. Between the two houses is where Diane comes and goes.

Christensen: the car is never there, so she is never there.

Moermond: we'll let him say his piece, he was quiet while you spoke. If we need to, I can transition, but one voice at a time. Mr. Staeheli, continue.

Staeheli: she would have no idea what she drove. I don't know why she is angry with me. I'll tell you what, I'll put my comments in writing because this is going to denigrate pretty quickly.

Moermond: you are more than welcome to do so.

Staeheli: let's do it that way. This will just be a back and forth. You don't know what you're talking about and yes, I do.

Moermond: your main comment is that she lives with Mary Kay in that space and the entrance is in a separate location that isn't visible.

Staeheli: yes. I don't know where Diane is parking. Diane suggests we invite you all to breakfast but I don't know that that is going to work. Whoever wants to see her get up, use the bathroom, make coffee, you're welcome to see a video. Just for the sake of argument, though this isn't my position, if she doesn't live there. If she moves in on January 1, can Vicki and Mary Kay stay since she now lives there and as owner-occupied unit doesn't need a Fire Certificate of Occupancy. How do we make the order to vacate go away? How do I establish her residency more accurately and completely for the benefit of everyone. Her license is already there. I'm surprised the homestead wasn't fixed yet. I don't know why that is still wrong. We did move to Eagan together, then we moved back.

Moermond: it is a substantial homestead. The combined value is much higher than both the properties in St. Paul.

Staeheli: *right but that's not where we live. I do office out of there. That's where I get my mail. Let's say she doesn't live there; how does she move in and make it go away?*

Moermond: *that's a reasonable question, and the other shoe to drop is that if it is determined she does live there what happens to the list of code violations. Traditionally the list is transferred from the Certificate of Occupancy program to Code Inspections. The violations exist, but it isn't on a reinspection cycle.*

Staeheli: *so the list won't go away?*

Moermond: *there may be items specific for the Fire Certificate of Occupancy program potentially. The other thing you brought up is revocation for a property without a Certificate of Occupancy. I think you're saying you haven't filled out an application but there have been some inspections.*

Staeheli: *in the entire existence of the Certificate of Occupancy program I have never paid for one. I've only had this argument. I've never had a Certificate of Occupancy. That's my position. De facto you can't revoke something you never had.*

Moermond: *when I reviewed code, it indicates that all properties in the City require Fire Certificate of Occupancy but for single-family home and duplexes that are owner-occupied. The thing is, other violations of that section of the code are reasons for a certificate to be revoked and the property vacated. They do connect and it has to do with violations of other sections.*

Christensen: *I observe who is on the street, who is walking around. I haven't seen Ms. Staeheli around. I do observe the cars on the side streets. Ms. Staeheli is not around and isn't in and out. If there's one set of footsteps upstairs, that is it. This isn't a truthful person. That's all there is too it. I still need to request an extension past January 1 to move. I need to be able to seek alternative housing. I don't want to be there. He's probably smiling because the voucher does pay my rent.*

Moermond: *any further comments?*

Staeheli: *I'd just like to hear yours.*

Moermond: *and I can expect you have additional comments?*

Staeheli: *I should have it done today.*

Referred to the Legislative Hearings due back on 12/13/2023

9 [RLH VO 23-38](#)

Appeal of Leon E. Mastel to a Re-Inspection Fire Certificate of Occupancy With Deficiencies (which includes condemnation) at 1120 BEECH STREET.

Sponsors: Prince

Layover to LH December 5, 2023 at 1:30 p.m. to discuss results of December 4, 2023 3 pm inspection. (CPH 12/13).

Leon Mastel, tenant, appeared via phone

Moermond: I have Mr. Imbertson here, there was going to be an inspection to confirm or make a finding about the condition of the interior.

Staff update by Supervisor Mitch Imbertson: I was out to the property with inspector Thomas. We weren't able to get in. We did knock and left a Voicemail at the number I had from the appeal. Waited 20 minutes. We didn't have access to verify the interior conditions either way. The exterior areas on the property were cleaned up.

Moermond: that was the pallet issue?

Imbertson: yes, exterior storage issue.

Moermond: you missed your inspection appointment.

Mastel: I apologize for that. I could have sworn it was Friday. He said he wasn't aware of it being Friday. I apologize. Is it something we can do today? Is it too late.

Moermond: we had a long conversation about them being short staffed and squeezing you in between hearings and accommodating your work schedule. You have to know I'm impatient with the situation. The minutes have a full-page discussing inspection. [reads minutes] It was put in the US mail and it said out loud. It is important because it has to do with whether or not you have to leave your apartment. Mr. Imbertson, the department is charging for this next inspection?

Imbertson: we typically would but it was an appealed filed by the tenant not the property owner who would have received the bill. We don't have a process for billing the tenant directly.

Moermond: and I see the landlord was copied on Ms. Zimny's follow up letter. He had that information as well. I am frustrated you aren't taking responsibility for this, putting the City in a position of having to do this, having to reschedule to accommodate the situation because of the gravity of asking someone to leave your residence. I'm going to continue to move forward and ask the Department to schedule an inspection. I'd like to put this in front of Council December 13th. Either the 5th or 12th on the Legislative Hearing agenda. My recommendation can be forthcoming if the 12th is the date.

Imbertson: I can do Monday the 4th with Inspector Thomas in the afternoon again. 2 or 3 pm.

Mastel: it is up to you, I apologize again.

Moermond: let's do 3 pm Monday, December 4th. Without that additional information I have very few options.

Laid Over to the Legislative Hearings due back on 12/5/2023