



Minutes - Final

Legislative Hearings

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651-266-8585

Tuesday, July 30, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 24-251](#) Ratifying the Appealed Special Tax Assessment for property at 978 HYACINTH AVENUE EAST. (File No. J2420R, Assessment No. 248524)

Sponsors: Yang

Reduce the assessment from \$278 to \$116.

Kou Cha, owner, appeared via phone

Moermond: calling back on the cleanup at 978 Hyacinth. Had a chance to do some follow-up on the loose ends from our last hearing.

Staff update by Supervisor Lisa Martin: the Summary Abatement Order issued for the Bagster, it sounds like the crew was out there to clean it up and they contacted not the inspector, but another inspector with Department of Safety & Inspections regarding the cleanup.

Moermond: the original inspector was Andrew McCullough and they actually talked to?

Martin: Sean Westenhofer. He directs the crews on the work order. They did pick that up.

Moermond: the crew was there. The inspector was there with them?

Martin: no, not there. But he was the one who got called asking what they should do. Once they are dispatched they usually do pick it up, otherwise they get a fee just for the trip fee for the crew to come, \$160.

Moermond: you are remembering they were giving you a different price, and I think they are saying different pricing scenarios not offering a price. They thought they were telling you what the cost would end up being.

Cha: this is new information. There was no other number to call other than the one on

the abatement order. I'm calling to confirm the total amount I would need to pay. The worker was saying it was a different price. Knowing they were going to charge \$160 just for the crew to come, that's separate from the pickup from the Bagster, I don't know if it was a good option. I don't know who said what and what said where. We didn't really resolve any issues other than me just having to pay the total amount.

Moermond: \$278, yeah. More than if Waste Management would have picked it up but not impossibly high. I'm kind of stuck with the person you talked to being the person who is responsible for the crews doing the work in the City. You got to the right guy. I'm inclined to say he was in possession of the correct information and I'm not sure what the crew was saying, but if you talked to Sean Westenhofer I'm sure he was giving you correct information. I can understand the crew saying something differently, there's a lot happening at that moment. I'm stuck with the cost of the pickup on this one. The Council may look at things differently next Wednesday.

[after review after the hearing concluded recommendation was changed to reduction]

Referred to the City Council due back on 8/7/2024

- 2 [RLH TA 24-249](#) Ratifying the Appealed Special Tax Assessment for property at 749 SIMS AVENUE. (File No. J2420R, Assessment No. 248524)

Sponsors: Yang

Approve the assessment.

Steve Vue, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: a Summary Abatement Order was issued January 4, 2024 to occupant and owner to remove tires from rear of property. Compliance date of January 11, rechecked January 11. Work was done, 14 tires picked up, for a total assessment of \$483. No returned mail and definitely a history of garbage at this property.

Moermond: you had three and a half weeks there. What was going on?

Vue: if you take the tires, its ok. You can charge me.

Moermond: I'll recommend Council approve the assessment.

Referred to the City Council due back on 8/7/2024

- 3 [RLH TA 24-277](#) Ratifying the Appealed Special Tax Assessment for property at 198 BRIDLEWOOD DRIVE. (File No. J2410B, Assessment No. 248109)

Sponsors: Johnson

Delete the assessment.

Voicemail left at 9:16 am: this is Marcia Moermond from St. Paul City Council calling you about your appealed tax assessment for boarding at 198 Bridlewood Drive. I've reviewed the record and the police report and I believe it should be deleted, so we'll do that. If you have any questions call 651-266-8585 and you'll want to talk to Mai Vang.

Referred to the City Council due back on 8/14/2024

- 4 **RLH TA 24-293** Ratifying the Appealed Special Tax Assessment for property at 724 JESSAMINE AVENUE EAST. (File No. J2410B, Assessment No. 248109)

Sponsors: Yang

Approve the assessment.

Gholam Ashrafzadehkian, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: the St. Paul Police Department in response to a domestic assault at the property requested an emergency boarding from the private contractor February 8 at 4:15 pm to board a window that a chair was thrown through. Total proposed assessment of \$474.

Moermond: Mr. Ashrafzadehkian, why are you appealing?

Ashrafzadehkian: I wanted to get a fair chance of being able to do it myself. I don't have \$500 to spare on someone throwing a chair. Everyone at Department of Safety & Inspections has my number. They just need to give me a call and I'd do it. It is \$50 in plywood and charging \$500. I didn't get a fair chance to repair my window and I don't want to pay that outrageous price.

Moermond: it wasn't Department of Safety & Inspections that called in the boarding. When the police are there the job is to make sure that family is ok and the person who is threatening violence and throwing a chair is removed from the scene. In this case they were transported to the juvenile detention center. They're concerned about that, not calling you. I know you'd have boards, but this is considered an emergency. They need to clear the scene and get the arrested person out of there. I don't really have any options on this one. Public safety trumps notifying you.

Yannarely: and noting it is early February which adds a climate element to this.

Ashrafzadehkian: absolutely. When they call about the furnace we go. This is the good ol' boy system charging it. I never got a call saying there was no heat or to board it. They make that call but they can't give us a chance.

Moermond: that's something you'd want to bring to the Council's attention. They may have a different take on it. For my part, I'm going to go with this is an emergency situation that needed emergency action before they could safely leave the scene. The Council could look at asking the police to make an effort to identify and call the owner. I'd guess they will say they don't have the time to track down an owner in a situation like that.

Ashrafzadehkian: I get that, but my tenants could call me.

Moermond: sounds like they had a lot going on at that moment, but yeah, they could have.

Ashrafzadehkian: I don't have a problem paying it, but calling someone to board my

property that I'm responsible for? I should be getting a fair chance.

Referred to the City Council due back on 8/14/2024

5 RLH TA 24-291 Ratifying the Appealed Special Tax Assessment for property at 1046 JESSIE STREET. (File No. VB2410, Assessment No. 248814)

Sponsors: Kim

Approve the assessment.

Saj Bhakta, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this is the Vacant Building fee, the file was opened October 31, 2022 when a bank in California submitted a Vacant Building registration form. The file was closed six days ago upon the issuance of a Fire Certificate of Occupancy. Total proposed assessment of \$2,616.

Moermond: from what I'm hearing, it sounds like the property has been in the Vacant Building program for 9 out of the 12 billable months.

Yannarely: correct.

Moermond: why are you appealing Mr. Bhakta?

Bhakta: you had talked to my partner about this 8 months ago. We started the process since that hearing and things were going well and as I'm sure you hear, hiccups happen and things didn't go as planned. We had almost completed the renovations—there were a lot of issues in this property—we slowly are trying to get things fixed. I'm appealing this because it isn't like we are avoiding trying to fix the property and get it rented. Hiccups have been happening and we haven't been able to finish on the timeline we'd have liked too. It just didn't happen. We were in the last days of finishing up and contacted Mr. Hesse about getting the Certificate of Occupancy and that is why he assisted in getting the Vacant Building folder closed. It is ready to be rented within the next 3 or 4 days. I'm just waiting on the Certificate of Occupancy inspection.

Moermond: I understand there have been things slowing you down. The problem is that the City isn't responsible for trying to fill that gap for you. That's kind of a private investment and endeavor. It is a cost associated with delay. Your property has been in the Vacant Building program for three-fourths of a year. I know you applied for that Certificate of Occupancy July 26 which is great. I'd reach out and ask if you can rent it now with your provisional. I need to look to see what it should owe. You did get a 90 day waiver at the beginning. In my estimation the City did provide services and you're looking at a cost of doing business. The Council could look at this differently than I do.

Bhakta: Ms. Vang sent me two documents as a PDF about a notice for the Vacant Building. It was dated October and one in January. Do you mail that? I talked to my partner and we've never received though.

Moermond: Ramsey County recorder's office has Red Maple REI, LLC in Hudson, so it went there. I don't know if that's you or your partner, that's the notice. I hear you saying

you didn't get it but that first notice was actually appealed. So someone got it because an appeal was filed.

Bhakta: I misspoke. The October one we received which is why we appealed. January we didn't receive. Maybe we just missed it in the mail.

Moermond: the January one was after your 90 day waiver expired. They'll send another notice to pay then it goes to assessment.

Bhakta: ok.

Referred to the City Council due back on 8/14/2024

6 [RLH TA 24-292](#) Ratifying the Appealed Special Tax Assessment for property at 842 LAFOND AVENUE. (File No. J2410B, Assessment No. 248109)

Sponsors: Bowie

Layover to LH August 6, 2024 at 9 am (unable to reach PO).

Voicemail left at 9:47 am: this is Marcia Moermond from St. Paul City Council calling you about your appealed tax assessment for a boarding at 842 Lafond Avenue that was appealed. We'll try you back in 10 minutes or so.

Voicemail left at 9:55 am: this is Marcia Moermond from St. Paul City Council calling you again about your appealed boarding fee for 842 Lafond. Since we've been unable to reach you, I'll continue this case to next Tuesday, August 6 in the 9 am time slot.

Laid Over to the Legislative Hearings due back on 8/6/2024

7 [RLH TA 24-287](#) Ratifying the Appealed Special Tax Assessment for property at 975 REANEY AVENUE. (File No. VB2410, Assessment No. 248814)

Sponsors: Yang

Continue PH to September 4, 2024. If CC certificate is issued reduce assessment from \$5,075 to \$2,537.50 and make payable over 5 years. If not issued, approve in full and make payable over 5 years.

Olympia Haidos, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this is the annual Vacant Building fee covering February 11, 2024 to February 10, 2025. We're about five and a half months into the cycle. Been on the Vacant Building list since 2016. The total proposed assessment of \$5,075.

Moermond: almost at the halfway mark. Tell me about what you're looking for?

Haidos: we're in the process, as you know, of finishing within a month or two. My appeal is possibly reducing to half.

Moermond: I'd like to see that for you. The halfway point would be the Council Public Hearing on August 14. I'm going to ask the Council to continue it to September 4 and if you have your Code Compliance certificate by then I'll recommend it is reduced by

half. If you aren't done, it would be a good idea to testify at Council about it.

Haidos: if we don't, can you make it payable over a number of years?

Moermond: absolutely. If approved I'll ask it made payable over 5 no matter the outcome.

Referred to the City Council due back on 8/14/2024

8 RLH TA 24-289 Ratifying the Appealed Special Tax Assessment for property at 1823 SEVENTH STREET EAST. (File No. J2422R, Assessment No. 248527)

Sponsors: Johnson

Approve and make payable over 2 years.

Miguel Sanchez, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: February 5, 2024 a Summary Abatement Order was issued to occupant and owner to remove sofa and totes from the rear yard. Compliance of February 12. Rechecked on February 12. Work was done March 11, 2024 for a total assessment of \$404.

Sanchez: I was out of town. They dumped it outside my garage in the alley. When I received the letter that's why I called a couple weeks ago.

Moermond: unfortunately, it sounds like this happened while you were gone and there was a long window between the orders and the crew showing up. Over a month later when the City picked the items up. The City did give plenty of notice that this was a problem and that they did do the work. I don't have a ton of options here.

Sanchez: that's fine.

Moermond: I can make it payable over a couple of years if that's helpful.

Sanchez: a couple payments would be good.

Referred to the City Council due back on 8/28/2024

Special Tax Assessments

9 RLH TA 24-298 Ratifying the Appealed Special Tax Assessment for property at 819 AURORA AVENUE. (File No. J2410E, Assessment No. 248316)

Sponsors: Bowie

Delete the assessment.

Abbie Finger, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: Excessive Consumption for Summary

Abatement Order to remove chair and bumper from rear of property. Orders were issued January 8, 2024 with a compliance date of January 15. Rechecked January 17 and an Excessive Consumption was issued. Work order was done February 2, 2024. Quite honestly there's no history at this property since 2020, anything has been resolved by the owner. Typically, if the owner does call, we would have removed the Excessive Consumption fee at that time.

Moermond: one thing that was noticed when putting this file together is the Excessive Consumption was 9 days after the original order and then a work order processed the following week. So there's the Excessive Consumption charge but then a cleanup that is costing \$278. When I looked at this, while it is legit code-wise, it feels like the timing is off.

Martin: typically, we'll do an Excessive Consumption to get their attention and then remove the fee, and if they don't we'll issue a work order next inspection.

Moermond: so this assessment goes to Council Public Hearing August 14 and I'm inclined to recommend it be deleted, however the cleanup assessment of \$278 goes to Council next week. No appeal filed on this. Did you mean to appeal both assessments, Ms. Finger?

Finger: I would love to appeal both, can I get more information? Is now a good time?

Moermond: now is fine.

Finger: one of the challenges is my address with St. Paul isn't correct. I have tried for months to get that changed. I am not getting this information to be able to do anything about it. I've talked to 40 different people, Housing, someone with Inspections, and then all of a sudden one time I got an email which was amazing because I could rectify it right away.

That is also a challenge, so yes I'd like to appeal both because a week is a short turnaround time, and it is hard for me to do something about it when I don't know.

Moermond: let me check the Ramsey County records. The City's system pulls directly from Ramsey County. It is the address on your property tax statement. Their number is 651-266-2000. Your bank probably pays the property taxes with the mortgage so it wouldn't cross your desk. Ms. Martin?

Martin: make sure the Certificate of Occupancy information with inspections is updated. I'm not sure what you're current address is, but if you aren't local hopefully you have a property manager looking at the property.

Moermond: and the Fire Certificate of Occupancy lists you in Spokane, Washington.

Finger: that's correct.

Moermond: and it must not have had that information when these orders went out. Usually they go to Responsible Party, tax owner, and occupant.

Finger: thanks for that.

Moermond: so today's assessment recommended for deletion. Then we have the assessment for the cleanup order. Ms. Vang, can we set up a file and have it on our

August 6 agenda going to Council August 7. If I need to ask them to continue it that's fine. Next week around 10 am, Ms. Vang will confirm via email, we'll call about the cleanup assessment.

Finger: that sounds great.

Referred to the City Council due back on 8/14/2024

- 10 RLH TA 24-254** Ratifying the Appealed Special Tax Assessment for property at 1370 CARLING DRIVE. (File No. CRT2408, Assessment No. 248207)

Sponsors: Jalali

Approve the assessment.

Moermond: owner is no longer appealing?

Mai Vang: yes, I also got an email this morning that they are going to make payments and won't be attending today.

Moermond: same situation for coach. Both recommendations to approve.

Referred to the City Council due back on 8/14/2024

- 11 RLH TA 24-255** Ratifying the Appealed Special Tax Assessment for property at 1320 COACH ROAD. (File No. CRT2408, Assessment No. 248207)

Sponsors: Jalali

Approve the assessment.

Moermond: owner is no longer appealing?

Mai Vang: yes, I also got an email this morning that they are going to make payments and won't be attending today.

Moermond: same situation for coach. Both recommendations to approve.

Referred to the City Council due back on 8/14/2024

- 12 RLH TA 24-290** Ratifying the Appealed Special Tax Assessment for property at 1557 WHITE BEAR AVENUE NORTH. (File No. J2408P, Assessment No. 248407)

Sponsors: Yang

Delete the assessment (waiver on file).

Moermond: graffiti cleanup and waiver on file since January 5. Recommend deletion of that assessment.

Referred to the City Council due back on 8/14/2024

10:00 a.m. Hearings

Special Tax Assessments-ROLLS

- 13 **RLH AR 24-57** Ratifying the assessment for Collection of Vacant Building Registration fees billed during August 14, 2023 to January 24, 2024. (File No. VB2410, Assessment No. 248814)

 Sponsors: Jalali

 Referred to the City Council due back on 8/14/2024
- 14 **RLH AR 24-58** Ratifying the assessment for Securing and/or Emergency Boarding services during January to February 2024. (File No. J2410B, Assessment No. 248109)

 Sponsors: Jalali

 Referred to the City Council due back on 8/14/2024
- 15 **RLH AR 24-59** Ratifying the assessment for Collection of Fire Certificate of Occupancy fees billed during February 7 to 19, 2024. (File No. CRT2409, Assessment No. 248208)

 Sponsors: Jalali

 Referred to the City Council due back on 8/14/2024
- 16 **RLH AR 24-60** Ratifying the assessment for Excessive Use of Inspection or Abatement services billed during December 27, 2023 to January 19, 2024. (File No. J2410E, Assessment No. 248316)

 Sponsors: Jalali

 Referred to the City Council due back on 8/14/2024
- 17 **RLH AR 24-61** Ratifying the assessment for Graffiti Removal services during January 8 to February 5, 2024. (File No. J2408P, Assessment No. 248407)

 Sponsors: Jalali

 Referred to the City Council due back on 8/14/2024
- 18 **RLH AR 24-62** Ratifying the assessment for Removal of Diseased and/or Dangerous Tree(s) service during March 2024. (File No. 2408T, Assessment No. 249010)

 Referred to the City Council due back on 8/14/2024
- 19 **RLH AR 24-63** Ratifying the assessment for Removal of Diseased and/or Dangerous Tree(s) service during January 2024 at 2163 MARSHALL AVE, (File No. 2409T, Assessment No. 249011)

 Sponsors: Jalali

Referred to the City Council due back on 8/14/2024

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

- 20 [RLH SAO 24-34](#) Appeal of Gonzalo R. Sanchez to a Summary Abatement Order at 1040 BUSH AVENUE.

Sponsors: Yang

Layover to LH August 13, 2024 at 11 am for further discussion and review of work plan.

No one appeared

Moermond: we had continued the appeal and what we have is information from Code Enforcement and the Building Inspector and I wanted more specifics from the building inspector and forwarded photos to the senior electrical inspector. Some of the electrical we saw looked hazardous so wanted their input on that. I'd like to fold all of the orders together and put them in order of level of hazard to attach deadlines for getting the work done. I'm laying this over to August 13 to do that.

Laid Over to the Legislative Hearings due back on 8/13/2024

1:00 p.m. Hearings

Vacant Building Registrations

- 21 **RLH VBR
24-42** Appeal of Bridget-Michaele Reischl, PR of the Estate of Paul H. Glaser, to a Vacant Building Registration Requirement at 2334 DOSWELL AVENUE.

Sponsors: Jalali

Grant the appeal and release the property from the VB program.

Bridget Michaele Reischl, attorney o/b/o estate, appeared via phone

[Moermond gives background of appeals process]

Moermond: do we need to add anyone to the call?

Reischl: I planned on her only attending if

Staff report by Supervisor Matt Dornfeld: this was made a Category 1 Vacant Building on July 1, 2024. Our department proactively received a call from an Erin Diamond, spoke with Inspector Humphrey, said there was a death at the property and St. Paul Police Department told them to call us and let us know it was vacant. An inspector confirmed the vacancy and opened a Category 1 Vacant Building. No code violations, it is a maintained property with a Responsible Party involved and no vacancy for more than 365 days.

Moermond: therefore it doesn't meet the definition of a registered Vacant Building and will recommend the appeal be granted. Any questions?

Reischl: not one, thank you.

Referred to the City Council due back on 8/14/2024

22 [RLH VBR 24-43](#) Appeal of Yia Jef Yang to a Vacant Building Registration Fee Warning Letter at 1688 EUCLID STREET.

Sponsors: Johnson

Layover to LH August 13, 2024 at 1 p.m. for further discussion. PO to submit provisional C of O form prior to that hearing.

Yia Jef Yang, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Matt Dornfeld: proactively brought to our Department's attention by Braun incorporated, a servicing company for US Bank. They emailed inspector Robert Humphrey on June 3, 2024 at 1:59 pm saying it "qualifies for registration under your ordinance. Please confirm fees due currently." Braun Incorporated sent us a Vacant Building registration form June 3. We investigated and Code Enforcement had open orders for tall grass and weeds and a refrigerator from May 2024. Because of those outstanding violations and the proactive email, we opened a Category 1 Vacant Building June 7, 2024. It is my understanding due to the appellant attaching information including his lease agreement that it is indeed occupied, however there is no Certificate of Occupancy to legally rent the property.

Moermond: also on the line is Supervisor Leanna Shaff for the Certificate of Occupancy program.

Shaff: every building in St. Paul, with the exception of single-family home that are owner-occupied, or duplex. Being this is not owner occupied it would be incumbent upon the property owner to apply for a provisional Fire Certificate of Occupancy. Pay the fees, which would let it be rented until it was inspected. That application is available online, or could be included in the follow up letter.

Moermond: two things going on, a Vacant Building registration that results from it being reported by a financial institution. The orders sent the following day would have been sent to that previous owner. Ramsey County website shows no transaction recorded.

Shaff: if the bank is paying the Vacant Building fee and they're technically the owner, they don't service tenants. Who do we hold responsible for this building? Past experience says that isn't the bank, that's why they're paying the fee.

Yang: I wasn't aware of the bank taking possession of the property. I was behind 3 months, then I made the payment because my tenant had some medical issues. He was late with the rent. Last year when I rented it I was trying to find out what I needed to do to get it rented. I couldn't get a straight answer. I'm a first time landlord and didn't know what to do. I can certainly do the provisional Certificate of Occupancy. I just found out about the landlord class, but it is filled up. There's another one on August 22 that is full as well. I'll sign up for the one after that.

Moermond: do you have access to a computer?

Yang: one of the things you can do is to go to the City's website and you'll find there's a whole section on rental properties there. You probably found it while looking for the landlord classes.

Shaff: if the bank is saying they're the owner, registered as the County, I can't recognize him as the owner.

Moermond: it is weird because the bank has a 2017 and a 2023 transaction. Braun Inc shows up but Yia Jef Yang shows up as the tax owner. Are you buying on a contract for deed?

Yang: last year Pa Dee passed away, the owner, his wife fell behind so they were family friends and owed so much on the mortgage so they said if I can pay for the house they would give it to me. I got them caught up and they signed the deed over to me. I've been renting it since then. I don't know the deal with Braun Inc owning the house. I'll have to do digging on that.

Moermond: it looks like they're the mortgage holder.

Yang: I heard US Bank earlier?

Moermond: the servicer on the mortgage frequently changes. I don't know for sure what is going on. What I would say is there's a big problem in not having a Certificate of Occupancy. I don't think this belongs in the Vacant Building program but it really belongs in the Fire Certificate of Occupancy program. I'm going to continue this case for 2 weeks and within that 2 weeks you need to file that application with Department of Safety & Inspections. We'll double check you are on your way to get yourself squared away with that. You'll get that Friday, and take care of it right away so its ready for August 13.

Yang: in June I had the fridge and the stove out in the front lawn for two days. I received that letter, I was taken aback because I'd scheduled the hauler to pick it up. It was literally out for 2 days. I will take care of whatever you send me.

Moermond: you are the beneficiary of a slow moving system. The orders for that went out early in May and the reinspection didn't occur until June 25. By that time they were gone, so you got a default extension because things are backed up.

Laid Over to the Legislative Hearings due back on 8/13/2024

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 23 [RLH VO 24-26](#) Appeal of Mark Thieroff, attorney for owner, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 251 MARIA AVENUE.

Sponsors: Johnson

Layover to LH August 13, 2024 at 1:30 p.m. and if permit application is made, grant through October 18, 2024 for compliance.

Mark Thieroff, attorney o/b/o owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: a 9 unit residential building. From what I can tell from Ramsey County the current ownership has been in effect since October of 2022. It is in an HPC district, which affects outside repairs. There is a building permit for a roof from December 2022 that isn't finalized yet because it had corrections to be made. We received some complaints on the building, one being an electrical shut off. Inspector Almstead also received notification that the windows had been replaced without permit or HPC removal. There is a stop work order issued by Nathan Bruhn March 31, 2023. Inspector Almstead made numerous attempts to inspect and getting compliance, including windows and roof permit. Condemnation on unit 3 for lack of basic utilities, for electric being off. As of July 18, 2024 after many months of trying to gain compliance we revoked the Certificate of Occupancy for long-term noncompliance for the permits. I think you saw the photos. The windows, in no way, are code compliant with the HPC nor with current building codes. They put in vinyl windows, too small for the openings, built up around them. Unfortunately, when they did that with the stucco, which had already been compromised, it had been left open. For over a year there's been snow, ice, water, intrusion behind the stucco. We have some huge concerns about that. We haven't been able to get any sort of compliance without revoking that. It seems they're looking for more time. I spoke with Xcel yesterday and the electricity is still off. When I spoke with the property rep they said they didn't know it was within HPC requirements. I know Inspector Almstead spoke with him about that extensively. He told Almstead he would just sell the building. I understand there may be a current sale pending, but with its current status that becomes problematic.

Moermond: you said there was a complaint on a few things and electric shut off was listed inside that. A complaint you normally think of as coming from a neighbor, but Xcel does this too.

Shaff: part of it. We've had complaints about the windows and the state they are in and why it is allowed to continue.

Moermond: was that a yes or no on Xcel?

Shaff: yes, Xcel sends us a list of electrical shut off. Most of the time they've been off for 30 days by the time the City is notified.

Moermond: and the City's normal response is to send a correction notice. That affects only unit 3. That is condemned for lack of electric. When did the inspection process start?

Shaff: February 13, 2024. It was a referral prior to that.

Moermond: I'm seeing appointment letters February, March, April and then an inspection in May. The inspection in May they got access?

Shaff: yes, May 6.

Moermond: what's the grade on this property?

Shaff: a very low C.

Thieroff: first, I don't have any reason to contest any of the testimony. My involvement began following the July 18 notice. I can't address reasons for the delay up until then. I can speak to what we've done since then. I spoke with Mr. Almstead and my conclusion from the notice and situation was the most important issue was the windows. I spoke with George Gause about rectifying it. After hearing the options, I concluded the best option was not to file any type of appeal but simply to start over with a contractor to get new replacement windows compliant within the design guidelines. The property owner has agreed to that. We've reached out to Gladstone Windows and have scheduled the first available date to have them come out and provide documentation we need to submit to HPC. They come out tomorrow. We weren't able to comply with the July 18 notice, and we are asking for additional time to have that site visit tomorrow and quickly get an application into HPC staff to resolve that. With respect to Unit 3 and the electric, that is a surprise to me, I thought it was resolved. It was nonpayment by the tenant and I thought it was fixed, but it should be in process and can be resolved quickly. As far as the roof, Mr. Almstead gave the inspector assigned to the permit. Unfortunately, the roofing contractor is no longer in business. We reached out to the inspector to get that final inspection scheduled so we can get that finalized and closed. I think that too is imminent. Additional 10 days is our ask.

Moermond: preceding your involvement it looks like the original inspection led to 20 violations being written and what we're looking at now are a couple of enforcement actions.

Thieroff: as far as unit 8, I've spoken with Mr. Almstead. That was in error, not sure how that came to be. The rent is paid to date. No abandoned property in there. I'm not sure how the tenant came to understand the tenant was recently departed.

Moermond: I'm guessing because you said they weren't there. You asked for an extension to do the windows. Sounds like the contractor will do the bid, and part are the plans necessary for the permit.

Thieroff: yes.

Moermond: my understanding is that when the building permit application lands with Department of Safety & Inspections they look at it and simultaneously referred it to HPC. They may have comments or deny the permit, and that's hitting restart on the process. If HPC staff approves they will report that back to Department of Safety & Inspections who can proceed with permit issuance.

Thieroff: we intend to submit an application that meets the guidelines. I expect no public hearing because we are just going to comply.

Moermond: July 29 there was a final inspection on the roof and that was approved by John Wilder.

Thieroff: that's great news. That unit with the Xcel shut off is vacant too.

Shaff: I spoke with Xcel yesterday at 1:45 yesterday afternoon.

Moermond: I trust you'll get that back on before the unit is rented again. That leaves us with the revocation for long-term noncompliance and an extension to deal with the windows.

Thieroff: no timeline from the contractor.

Moermond: my expectation is you make that permit application no later than August 13. If application is made at that time I will recommend the Council grant through October 18 to have the windows replaced. We'll lay this over to August 13 and hopefully this will get the job done.

Laid Over to the Legislative Hearings due back on 8/13/2024