



Minutes - Final

Legislative Hearings

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Tuesday, October 8, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

10:00 a.m. Hearings

Remove/Repair Orders

- 1 **RLH RR 24-34** Ordering the rehabilitation or razing and removal of the structures at 674 MAGNOLIA AVENUE EAST within fifteen (15) days after the November 6, 2024, City Council Public Hearing.

Sponsors: Yang

If mortgage holder has posted \$5,000 PD & ordered CCIR by no later than November 4, 2024, refer back to LH November 12, 2024 at 9 am for further discussion, otherwise order building removed within 15 days.

*Kibong Fondungallah, attorney o/b/o lender Loan Care, LLC, appeared via phone
David Sharpe, Guardian Asset Management, appeared*

Moermond: this is a follow up hearing before this goes to Public Hearing. What we were trying to nail down was what direction the bank wants to go in this. There wasn't a decision yet. I was also looking for any information on where the foreclosure process was at. Ms. Fondungallah, what is the update there?

Fondungallah: so far my client is still trying to work with Freddie Mac to determine what to do in terms of demolition or fixing the property. Freddie Mac is also concerned with the insurance on the property so they've asked for an extension from the City so they can do their due diligence and come up with a final solution to the problem.

Moermond: when do you expect that will be an answered question?

Fondungallah: if we could extend it a month out, if possible?

Moermond: I tell you what, usually when I ask for the Council to continue the case I ask that the Code Compliance inspection is ordered and the Performance Deposit is posted. The Performance Deposit is refundable upon completion of the project or if you're moving forward with demo it can be refunded on written request. Your Council Public Hearing is November 6. We had our first conversation a couple of week ago, where you said the same thing about having a decision made about rehab or demo. I'm still asking the question and still not where you're at with the foreclosure process. You said the sale date was scheduled for September 24 and then I don't know what

happened? Did it happen?

Fondungallah: no, it was postponed to November 5.

Moermond: so, you aren't technically in possession yet and you'd still have to wait for redemption period?

Fondungallah: yes, and we'd ask for a shortened redemption period.

Moermond: right, that's usually 5 weeks. I'm really looking for you to choose a path forward. If your client is going to move towards demo then no inspection is required and no Performance Deposit required. If they want to move towards rehab or hedge their bets and have that covered we need to see that Performance Deposit and inspection report.

Fondungallah: mhmm.

Moermond: that's about \$5,500 to \$5,600.

Fondungallah: mhmm.

Moermond: have you had a contractor go through and give their perspective on the cost of rehab and whether it makes sense with the investment and sale value?

Fondungallah: I don't believe we've engaged a contractor.

Moermond: what I'm going to look for the same thing—by Monday November 4 the Performance Deposit is posed and Code Compliance Inspection Report ordered, if that is not done I'll recommend the Council moves forward with an order to demolish. If you have those things we'll schedule a hearing to continue discussion.

Fondungallah: ok.

Moermond: Mr. Sharpe, any questions or comments?

Sharpe: no, no questions.

Moermond: do you have any questions Ms. Fondungallah?

Fondungallah: no.

Referred to the City Council due back on 11/6/2024

Making Finding on Substantial Nuisance Abatements

- 2** [RLH RR 24-38](#) Second Making finding on the appealed substantial abatement ordered for 678 SNELLING AVENUE NORTH in Council File RLH RR 24-3.

Sponsors: Jalali

Continue PD & grant additional 180 days to rehab.

*Lisa Kugler, Kugler consulting, appeared via phone
Gene Gelgelu, owner AEDS, appeared via phone*

Moermond: I talked with the building official about a "partial" Certificate of Occupancy and while those things can be done with deadlines and conditions I'm not comfortable having that be the way out of the Vacant Building program for you. A deadline being missed is like you're out of the Vacant Building program and then what do we do?

Kugler: there isn't a problem because the Certificate of Occupancy is scheduled for this Friday, October 11.

Moermond: and you have a lot of open permits. Electric open. Fire engineering.

Kugler: they are coming in the next few days. That's the plan. The contractor is in charge of it.

Moermond: ok. This has a Council Public Hearing on Wednesday, October 16. It seems to me I could ask for a bit of a layover to give you a chance to finish up if it isn't done then. It sounds like you're in a place where you think it will be all signed off and that would be magical. If we end up on the 16th and there's no Certificate issued my recommendation will be the Council continue the matter to November 6. That's what I'll recommend if no certificate is issued. No question about continuing the Performance Deposit. You're almost there.

Kugler: I just want to invite you all November 1 at lunch time to see your handiwork.

Referred to the City Council due back on 10/16/2024

- 3** **RLH RR 24-40** Third Making finding on the appealed substantial abatement ordered for 346 SHERBURNE AVENUE in Council File RLH RR 24-4.

Sponsors: Bowie

Forfeit \$5,000 of \$10,000 PD and require an additional (new) \$5,000 be posted. PO must submit new work plan/schedule, evidence of financing and affidavit if necessary by COB October 18, 2024.

Tried calling at 10:34 am: unable to leave message; mailbox full

Moermond: what I'd like to do is send a letter indicating I'm recommending \$5,000 of the posted \$10,000 is forfeit and an additional \$5,000 be posted. This will go to Council October 23.

Referred to the City Council due back on 10/23/2024

- 4** [RLH RR 24-43](#) Fourth Making finding on the appealed substantial abatement ordered for 733 FAIRVIEW AVENUE NORTH in Council File RLH RR 24-26.

Sponsors: Jalali

Layover to LH October 22, 2024 at 10 am to discuss enforcement.

Voicemail left at 10:43 am: Good morning this is Marcia Moermond from St. Paul City Council calling Stamate Skliris about the order to remove or repair 733 Fairview north. We'll try back in a little bit. Thank you, bye.

Voicemail left at 10:47 am: Good morning this is Marcia Moermond again trying to reach you again about your property and its rehab. We'll go ahead and send a follow up

letter.

Laid Over to the Legislative Hearings due back on 10/22/2024

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

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

Sponsors: Yang

Note, most exterior items on SAO substantially abated. Balance of items and trades identified items converted to Correction Order with the following deadlines: 1. grant to October 30th, 2024 for all items related to electrical work (items 1, 2, 3, 4); 2. to November 15, 2024 for item 5 related to furnace/heating; and 3. Grant to May 1, 2025 for all remaining items.

Gonzalo Sanchez, owner, appeared via phone

Moermond: did you get the letter emailed and mailed to you?

Sanchez: I got the paper yesterday.

Moermond: have you read it?

Sanchez: they gave me to October 30th?

Moermond: for the hazardous items. Others are November 1. Some are May 2025. We tried to make it so the most concerning items had the short deadline. You've got a lot of electrical items. You may need to hire an electrician, maybe.

Sanchez: I put a new electrical box where the inspector asked me too. I got the electricity to go to the new addition, I'm just waiting for the inspector to come in and inspect the reinforcement parts in the addition. For him to give us the ok to get the electrical boxes around the new addition. Give us the ok to seal with insulation and plastic. Then move from there to all the other activities.

Moermond: almost all of this, in fact all the things on the short list are electrical. The furnace/heating repair is November 15. October 30th deadlines on the electrical items and November 15 on the furnace. Does that sound doable? Have you called for an inspection yet?

Sanchez: I haven't called yet. He wanted me to remove the wire directed to the heater. That was removed because the new box it goes direct to the same line that used to be there. Directly from the box.

Moermond: I think you should be calling Inspector Moynihan.

Martin: Randy Klossner is supposed to be the lead inspector, so not sure if he's taking over or not.

Moermond: follow up with Dan Moynahan, he's the supervisors so he may have one of

his guys come out. Just call Dan and let's get you his number. The exterior items all have a deadline of May 1 next year. The electric and furnace have the quick deadlines. I'll recommend to the Council that they go with these deadlines, if it isn't working call us, but they make sense to me due to the nature of the problem.

Sanchez: alright. I appreciate your call.

Referred to the City Council due back on 10/16/2024

Making Finding on Nuisance Abatements

- 6 [RLH SAO 24-66](#) Making finding on the appealed nuisance abatement ordered for 2016 FREMONT AVENUE in Council File RLH SAO 24-61.

Sponsors: Johnson

The nuisance is not abated.

Voicemail left at 11:42 am: this is Marcia Moermond from St. Paul City Council calling you about your property at 2016 Fremont. Following up on an abatement order for tall grass and weeds to hopefully resolve.

Voicemail left at 11:46 am: good morning this is Marcia Moermond from St. Paul City Council calling you again. What I will do is tell you I got a report from Code that the order hasn't been resolved on deadline. I'll be reporting that back to the Council and I'll recommend they authorize the Department to go ahead and do the work. If you get it done before then reach out to the inspector and let them know, otherwise a word order will be coming later next week.

Referred to the City Council due back on 10/16/2024

- 7 [RLH SAO 24-45](#) Making finding on the appealed nuisance abatement ordered for 705 MARYLAND AVENUE EAST in Council File RLH SAO 24-29.

Sponsors: Yang

Nuisance is abated and matter resolved.

No one appeared

Moermond: this was abated?

Supervisor Lisa Martin: that is correct.

Moermond: nuisance is abated & the matter resolved.

Referred to the City Council due back on 10/16/2024

- 8 [RLH SAO 24-73](#) Making finding on the appealed of Donald A. Hinrichs to a nuisance abatement ordered for 995 WAKEFIELD AVENUE in Council File RLH VO 24-31.

Sponsors: Johnson

Nuisance is abated and matter resolved.

No one appeared

Moermond: you've been out there and talked with them?

Supervisor Lisa Martin: yes, it is definitely in compliance. They've removed cords, installed smoke detectors, removed all the garbage from the boulevard, and the dumpster will be removed later today.

Moermond: conditions have been abated and the matter resolved.

Referred to the City Council due back on 10/16/2024

Correction Orders

9 RLH CO 24-10 Appeal of Jerry Brashier to a Correction Notice at 511 MINNEHAHA AVENUE EAST.

Sponsors: Noecker

Recommendation forthcoming pending LHO discussion with building official.

Jerry Brashier, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: September 4, 2024 a correction order was issued regarding stored materials, shipping container from driveway and property. Compliance date of September 11. I know it has been there for some time. Photos are attached to the file.

Brashier: first, thank you for deferring this to today, I appreciate that. I want to be as compliant as I can and beautify the exterior of the building. It has been there a bit. I can make it look like a basic shed, basically a removable shed instead.

Moermond: the footprint for a shed, 10x20 or smaller Ms. Martin?

Martin: under 200 square feet and it has to go through zoning.

Moermond: I'm guessing cargo container needs a building permit and needs zoning review. You won't be able to pull a building permit for a cargo container.

Brashier: I've done this in the City of Minneapolis, you put a roof on, put a façade and doors on, change the motif completely. It is being used as a shed for construction material. That would be ideal for me. I've been working with Fire Certificate of Occupancy and done extensive work on the building, if you compare to older photos prior to the shipping container being out. There are some on Google earth. We've spent tens of thousands of dollars trying to beautify the exterior of the building. The next major project is the parapet walls.

Moermond: I don't see a building permit.

Brashier: so, none of it has required it—like, the retaining wall—

Moermond: when you get to that value it is.

Brashier: oh, I didn't know that.

Moermond: you do this for a living?

Brashier: I work for the City of Minneapolis for a living.

Moermond: it is \$500....but when you're way over.

Brashier: oh, the retaining wall that was done?

Moermond: no, I'm talking about the exterior siding.

Brashier: I haven't done anything yet, that's what I WANT to do. That would require a permit, but that has not begun yet. The parapet walls and whatnot, now we're talking things requiring permits and extensive project that are going to last the duration, 7 to 9 months, need architectural prints drawn up. Require an immense amount of building materials. Construction equipment to be housed outside as well as scaffolding, etcetera. I'm trying to make it as quickly and efficiently done as possible. So that's my hope, make it a shed the City approves of so in turn I can beautify—finish beautifying the exterior. Now if you drive by you can see the fix on the walkway and the cobblestones coming up and the retaining wall, but now it's the actual siding surface which is brick. It requires an amazing amount of work to be done right. If it falls under the proper amount of square footage, and if not if I could get deferment for, gosh, probably until February. Depending on weather of course. One or the other; hopefully you're willing to take the shed idea and make it look like a shed—or be a shed really. All sheds look like shipping containers at the end of the day, I guess. That's the request, otherwise if I can keep it there until I get the exterior done, which will of course require permits.

Moermond: it has been there for a while already.

Brashier: if you were to open it up now, you'd see there were remnants of the retaining wall materials to rebuild and redo a whole retaining wall. Sacks of concrete. Tyvek. The Fire Inspector asked me to fix the wood on all the windows, so if you were to drive by it right now you'd see the difference is done. I removed a bunch of boards thinking that would be ok, but then it exposes different boards so it isn't ok. Yeah, just little time-consuming things. Lots and lots of paint and scraping and sanding to get it right. I didn't know retaining walls, peeling paint—I had no idea it fell under the purview of Fire Inspections, but lo and behold it does.

Moermond: it's an apartment building.

Brashier: it's my home. But yes, I do live there. It is an apartment building that is also my home. It can be considered a legal home.

Moermond: of course it can, and you can homestead your unit, but if you have four units you are in the Fire Certificate of Occupancy program.

Brashier: that's fine. And if you were to look at Google earth from a few years ago until today you'd see this guy is clearly beautifying the neighborhood. It is night and day from when I purchased until now, but I'm not done. I want to take pride in where I live.

Moermond: there's been a Certificate of Occupancy here since 1970.

Brashier: that's awesome.

Moermond: Ms. Martin any comments?

Martin: usually with open permits and construction going on, we do require a dumpster there. There's limited space there. We usually don't allow any outside storage of building materials.

Moermond: right, unless its temporary under open permits.

Martin: correct.

Moermond: not crazy about this. The Code is pretty clear on this. What do you do for the City of Minneapolis?

Brashier: director of maintenance operations for public housing.

Moermond: I'll discuss this with the building official and see what his thoughts are. I'm concerned it violates that code, I'm also concerned about egress and not sure if that needs to be dealt with for the area that is blocked.

Brashier: there's no egress there, it was an alleyway that is bricked off, probably 100 years ago. It isn't blocking any exits of any kind.

Referred to the City Council due back on 10/23/2024

1:00 p.m. Hearings

Vacant Building Registrations

- 10 [RLH VBR 24-64](#) Appeal of Sharon Lee Anderson to a Vacant Building Registration Requirement at 697 SURREY AVENUE.

Sponsors: Johnson

Deny the appeal.

*Lauren Lightner Ross, Ramsey County House Calls, appeared via phone
Sharon Anderson, owner, appeared via phone*

Anderson: Marcia Moermond!

Moermond: yes?

Anderson: you have been given legal notice in the past 5 or 6 days. Who made a complaint ---you are not qualified to do this hearing! You know that I have over a million dollars' worth of personal property—

Moermond: Ms. Anderson, I'm going to conduct the hearing and if you won't cooperate I will discontinue the hearing.

Anderson: You are not qualified to hear this. Go ahead.

[Moermond gives background of appeals process]

Anderson: when!?!

Moermond: when I send it before the Council.

Anderson: under the separation of powers of government the City Council isn't the legislature.

Moermond: Ms. Anderson, I've already warned you that I will not accept interruptions of this hearing. I will not. Mr. David Hoban—

Anderson: you have not given me due process. You haven't given me a list of witnesses.

Moermond: Ms. Anderson, that's not my—you are not being prosecuted. That is not what we're doing today—

Anderson: oh, YES I AM!

Moermond: I'm hearing your appeal on the Vacant Building registration. That is it. That is all I am doing. You have said a number of times [in voicemails] you are cancelling your hearing on this matter. Are you cancelling your hearing on the Vacant Building registration?

Anderson: yes.

Moermond: you are withdrawing your appeal?

Anderson: no, I'm not withdrawing it. We're going to go before the City Council and then we're going to go to court! The issue is the warrant September 9.

Moermond: you are going to go through a Legislative Hearing. They will not hear your case without a recommendation from me. I will recommend denial--

Anderson: alright, do it! Make your recommendation. There's a million dollars' worth of personal property. It is occupied! I believe it should be combined with a bogus condemnation that the sheriff has never served me. I own that property free and clear. There's millions of dollars at issue here.

Moermond: what is before me today is the Vacant Building registration requirement. Unless you follow the rules of the hearing, I will discontinue it. Do you understand?

Anderson: I understand more than what you---are you qualified to---who brought this hearing before you?

Moermond: you did. You filed the appeal of the Department of Safety & Inspections Vacant Building registration.

Anderson: by voice or in writing?

Moermond: in writing. Lauren, who is sitting with you there now, had you fill out the form

and she sent it in on your behalf. I have your signature on an appeal.

Anderson: right, the appeal is the inventory of my personal property, my computers, which I told you probably 10 times is over a million dollars of assets.

Moermond: ma'am that is not what is in front of me today. What is in front of me is the registration. If you'd like to talk about that we are going to start now, otherwise I'm going to discontinue this hearing.

Anderson: Start it! Start it! As if you have authority and jurisdiction.

Moermond: then Ms. Anderson, you better be quiet now.

Anderson: are you threatening me? Marcia, are you threatening me? You know I'm blind. You know I'm hard of hearing. Are you threatening me?

Moermond: Ms. Anderson, I'm going to start the hearing with a staff report by Mr. David Hoban from the Department of Safety & Inspections. Please be quiet—

Anderson: I don't know who David Hoban is.

Moermond: then we'll hear from you about why you are appealing and what you are looking for today.

Anderson: alright. I don't know David "Hogan" is. I have never dealt with you before. What are your qualifications?

Moermond: you don't get to address Mr. Hoban in that fashion. He's a deputy director at the Department of Safety & Inspections. He is giving the staff report today. We're going to add Mr. Matt Dornfeld to the call.

Anderson: I have no idea who Dornfeld is.

Moermond: he is a Vacant Building inspector. Mr. Hoban will be giving a report on the Vacant Building registration and then I want to hear from you.

[Matt Dornfeld added to call]

Anderson: September 9 was the day warrant was issued, that doesn't have a district court file or case number.

Staff report by Supervisor Matt Dornfeld: on September 20, 2024 the Vacant Building department—

Anderson: I thought you said the 19th.

Dornfeld: on September 20, 2024 the Vacant Building Inspector Dan Hesse opened a Vacant Building file per a condemnation referral on September 20, 2024.

Anderson: from who?

Dornfeld: from Inspector Lisa Martin.

Anderson: oh God. Ok I'm challenging that right away. Go ahead.

Moermond: he opened up a Vacant Building file on September 20, the letter to you is dated September 23. The reason it was opened was because it was referred from Code Enforcement, particularly Lisa Martin is the one who made the referral to the Vacant Building program.

Staff report by Department of Safety & Inspections Deputy Director David Hoban: Vacant Building status was achieved through the condemnation; the building is not occupied and unable to be occupied due to its gross and unsanitary condition. That preceded the removal of the occupant owner due to the unhealthy and unlivable conditions inside. After that, the Vacant Building status was achieved and as such registered as a Vacant Building.

Moermond: Ms. Lightner, I sent yesterday a copy of chapter 43 of the code, does Ms. Anderson have access to that?

Lightner Ross: yes.

Anderson: today.

Moermond: yes, that's when it would have come. Today. The Vacant Building program has definitions for the reasons why someone would be referred. Mr. Hoban said it is unoccupied and condemned, has multiple housing and building code violations and it is for those reasons—

Anderson: what are they?!

Moermond: they are outlined in the condemnation report itself. You have that and they are outlined there in.

*Anderson: no, I don't. Lisa Martin is a defendant in US Supreme Court Case *Magner vs. Gallagher*—*

Moermond: Ms. Anderson, I made sure that Ms. Lightner had a copy of that to provide you while you in the hospital and it was.

Anderson: who is Ms. Lightner?!

Lightner Ross: I'm right here, dear.

Anderson: Laura?

Lightner Ross: Lauren.

Moermond: so why should you not be in the Vacant Building program? That's what I need to hear from you now.

Anderson: because I have inventory of over a million dollars of personal property. The building is occupied. I've been there 34 years.

Moermond: occupied by personal possessions is not the same as occupied by a human being.

Anderson: I have been illegally evicted by Lisa Martin when the hearing was before this

“social worker” Naomi Paradise who is now with the County Attorney. The little slip of paper she gave me witnessed by Matthew the cop—

Moermond: you’re going back to the condemnation and I am not involved with that at all, the warrant nor the condemnation. The warrant is a district court matter. The condemnation appeal time period has come and gone. The only thing in front of me is the Vacant Building registration.

Anderson: WHO AM I TALKING TO? Is this Marcia?!

Moermond: yes. This is Marcia Moermond.

Anderson: the warrant doesn’t have a district court file number.

Moermond: ma’am this is not my concern. I don’t have anything to do with what is going on in district court. You need to proceed with that separately. All I have in front of me is the Vacant Building registration.

Anderson: right now, you’re going to appeal this based upon over a million dollars’ worth of personal property.

Moermond: ma’am, I’m not appealing anything. You have filed the appeal. It goes before the City Council. That’s who decides the matter. If you want to go further with it, that’s fine with me.

Anderson: When?! When does it go before the City Council?

Moermond: I need to decide that.

Anderson: oh, alright. Let’s do it.

Moermond: do you have any further testimony about the Vacant Building status other than you have personal possessions in the house?

Anderson: I own the property in fee simple. You do not—you are not qualified to have a quiet title hearing.

Moermond: ma’am this is about whether or it belongs in the Vacant Building program.

Anderson: oh, yes it is.

Moermond: you can make that argument in district court, that is not what is before the City Council. What is before them is the Vacant Building registration and that appeal will go before them with my recommendation. Any other testimony?

Anderson: no, but I think this is all bogus. I own the property. My body was illegally evicted by the Ramsey County district judge Sarah Grueing, without a file number. Everything goes back to the warrant September 9. That has made me technically a ward of the State.

Moermond: that cannot be in front of me, so I will recommend to the City Council—

Anderson: why can’t it? It is the foundation?

Moermond: ma'am I do not have anything to do with district court. You need to deal with the court system directly.

Anderson: you're going to go before the Council and then we're going to appeal to the district court. That file is not recorded. Thank you. I think we ARE CONCLUDED. We are CONCLUDED. Guide yourself accordingly. Go by the law! I own that property free and clear!

Moermond: no one is saying you don't. Adjourned.

Anderson: goodbye! Forever!

Moermond: Deny the appeal. Council Public Hearing next Wednesday, October 16.

[FOLLOW-UP: City Council public hearing to be continued to October 23, 2024, as Lauren Lightner Ross has a conflict for the City Council meeting Wednesday afternoon. Ms. Lightner Ross needs to be available to assist in getting Ms. Anderson set up for testifying by phone.]

Referred to the City Council due back on 10/16/2024

- 11 [RLH VBR 24-50](#) Appeal of Shai Lebovich & Carolyn Brown to a Vacant Building Registration Renewal Notice at 188 ACKER STREET.

Sponsors: Bowie

Deny the appeal but allow permit(s) to be pulled.

Carolyn Brown appeared via phone

Moermond: we got an email from Clint Zane saying he's waiting on the porch. The anniversary date of this being in the Vacant Building program is August 22. We're a good six weeks past that. I know we were at the porch a couple weeks ago and are still there. I think this needs to come forward as an assessment, but if we have confirmation before the Council Public Hearing I can make a different recommendation possibly. Right now, I'll say denial of the registration and you can appeal the assessment and ask it to be prorated.

Brown: I know he said he's working on it. I'm going today so I'm going to go check on it now.

Moermond: we'll have the Council Public Hearing next week. Hopefully you're done then.

Referred to the City Council due back on 10/16/2024

- 12 [RLH VBR 24-62](#) Appeal of Dinh Thong to a Vacant Building Registration Notice at 899 BURR STREET.

Sponsors: Kim

Waive VB fee through December 1, 2024. Contract for deed must be registered with the County or Fire C of O applied for by December 2, 2024 to be released from VB program.

Dinh Thong, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Der Vue: the correction order requested the contract for deed registered with the county and/or apply for a provisional Certificate of Occupancy. In reviewing the folder with the Inspector we did get a copy of the contract for deed no September 3, 2024. As of this morning I spoke to Ramsey County and it has not yet been recorded.

Staff report by Supervisor Matt Dornfeld: September 10, 2024 Vacant Building Inspector Hesse opened a Category 2 Vacant Building file, per Fire Inspector Vue's report. I have little to add to that other than at the time of inspection Inspector Hesse noted it did appear to be vacant and secure.

Thong: I had this house on a contract for deed, the buyer is Patrick Green. He lives there, but he's an army guy in the marines. He didn't know much about housing so his dad was helping him. His name was Ali. I forwarded the mail and thought he would take care of it. It came to my residence and I assumed they took care of it. I continue to receive the mail. I talked to Daryl and gave him the contact information and I only stepped in after he missed a payment. Then I started taking over. The house has never been vacant. Patrick Green still lives there. After he missed a payment I transferred the electric bill to my name. I told Ali we'll have to work it out. His son is in the process of getting a mortgage now. I referred him to a loan officer to hopefully get everything done. I spoke to the loan officer. I'd like someone to come inspect the property, it isn't vacant. I spent a lot of money renovating. Ali had one of his friends stay and make a big mess, and Patrick is the only one staying there now. You can come inspect. I spent a lot of money making it look good. I don't know what to say. We're just waiting for him to get the mortgage to get it done.

Moermond: I won't wait for that. The Contract for deed was provided by the City but as the seller it is incumbent upon you to register that with the County. I imagine that will involve bringing the taxes current. There are past due taxes for 2023 and 2024.

Thong: I thought he paid the 2023, no?

Moermond: this is for you to look into. I'm just telling you what Ramsey County record says. Right now, we'll consider you the owner. While I appreciate that you have a contract, it isn't registered. If it does get registered, great. If it isn't owner occupied by you, or the person you have a registered contract with, then it needs a Fire Certificate of Occupancy. You mentioned you would be fine with an inspection, that sounds prudent at this point.

Vue: the owner has a few options here. You can certainly register the contract for deed, once that has been recorded it would be recognized as owner occupant if it's the person on the Contract for deed. If you don't do that, we would conduct an inspection and require a provisional Fire Certificate of Occupancy to be applied for.

Moermond: sounds like it's time to do it and it may head off some of these other problems.

Thong: I don't mind but let's say if I apply for that, what are you talking about?

Moermond: if it is non-owner occupied in the City of St. Paul we require a Fire

Certificate of Occupancy is issued for it. That means an inspector has gone through and checked for fire code violations as well as property maintenance issues. That is true of any property like that. Right now, you appear to be the owner and the person you are selling to isn't actually living there.

Thong: no, Patrick Green lives there. Just let me know what you want to do.

Moermond: I need to see that contract registered with the County or we need a Fire Certificate of Occupancy applied for. By December 2 the contract needs to be registered with Ramsey County or the Fire Certificate of Occupancy applied for and you have your provisional. Waive the Vacant Building fee for 90 days (to December 1).

Referred to the City Council due back on 10/23/2024

**13 RLH VBR
24-63**

Appeal of Francis Crowley to a Vacant Building Registration Fee Warning Letter at 912 FRY STREET.

Sponsors: Bowie

Deny the appeal.

Francis Crowley, owner, appeared via phone

[Moermond gives background of appeals process]

Crowley: you have my application with my notes and stuff?

Moermond: I do right in front of me.

Crowley: ok.

Staff report by Supervisor Der Vue: this is a single-family home and was condemned on March 1, 2024 due to significant fire and water damage, including the gas being disconnected. Property was referred to the Vacant Building program on March 1, 2024. There was a vehicle fire that extended to the property with significant exterior damage including interior damage leading to the upper level of the home, which were the bedrooms. It has been in the Vacant Building program since.

Staff report by Supervisor Matt Dornfeld: the Vacant Building department opened a Category 1 Vacant Building file on March 1, 2024. We did receive the Vacant Building registration form from the appellant requesting the built-in 90-day fee waiver. That was granted March 17, 2024. A second extension on June 17, 2024 for 90 days was granted by Inspector Sheffer and Mr. Magner. As of today, I'm showing we have partial approval to a building permit that was pulled.

Crowley: when outside work was delayed by the rain. They did some other jobs and then got back on it again and I got the siding for it. They are going to get back at as soon as possible. Unfortunately, his truck got stolen with all his tools in it and hasn't gotten it back. We have the siding; we're going to get it on. Then it will be done. I want to find a decent renter. I really wish the state of MN could be talked into putting a fence there and close off all that riffraff walking up from Pierce Butler. Homeless people walk right through there, even during the day. Stuff gets stolen around there. That fence really needs—they have it part way. They did all the way including the dead end then they never finished it. Then there's another ---

Moermond: we don't really have anything to do with what the State of MN does with fencing. I need to focus on the Vacant Building piece of this. Sounds like your contractor was running behind and had his truck stolen and that was slowing things down. How does that affect your timeline?

Crowley: hopefully they'll start again next week. He doesn't even have a vehicle to haul things anymore. Everyone is busy right now so I can't find anyone else quickly. The siding is left. The wrap was on and has been inspected and he'd see us when it's done.

Moermond: you should probably connect with the building inspector again. Mr. Dornfeld you saw a note about the wrap?

Dornfeld: I do not have the technology in front of me so I'm guessing a bit. A lot of the work was done, photos were sent, and they needed to come look again, but I read it as being close but needing a final look.

Moermond: lots of stuff going on there. Are you ok with someplace to stay now? You live somewhere else?

Crowley: yeah, I'm fine. Not a problem there.

Moermond: it looks like you've received 7 months' worth of a waiver out of 12 billable months. At this point I'm not going to recommend another waiver. Try to get it done as quickly as possible and the better you sit in terms getting it prorated.

Crowley: how do you prorate it?

Moermond: we'd look at the 12-month year and do a percentage. Let's say you were in 4 months, 1/3 of the year, it would be one third of \$2,500 so around \$800. The thing is that typically we don't prorate much past where you are at now, but the Council could look at it differently. I just want you to know it's an option.

Referred to the City Council due back on 10/23/2024

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 14 [RLH VO 24-32](#) Appeal of Darius Claytor to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 365 SHERBURNE AVENUE.

Sponsors: Bowie

Layover to LH November 12, 2024 at 1:30 p.m. for further discussion re: deadlines after full Fire C of O inspection.

*Darius Claytor, owner, appeared
[Moermond gives background of appeals process]*

Staff report by Supervisor Der Vue: 2-unit dwelling. In response to a complaint February 8, 2024 correction orders were issued for multiple deficiencies. All of this in the lower unit. Some exterior deficiencies. Between February and July no repairs were made and we believe the occupant moved out. It has since been uncertified. Multiple attempts to reach the property owner August & September were unsuccessful. The

Certificate of Occupancy was revoked September 24, 2024 for long-term noncompliance.

Moermond: originally a complaint-based inspection. But no full inspection has been done, in spite of the list being quite long from February. So, you'd be looking for that full inspection.

Vue: yes.

Moermond: lower unit unoccupied, upper is occupied?

Claytor: that's correct. August 30 2024 I was waiting for an inspector, but no one called me or left a message. I thought it would be after that, but then I found out someone different was over there. Before the guy always called me and told me he was there. But no one called me on or after August 30. There was some stuff that was on the list that were fixed. Number 3, number 4, and the window screens were taken care of. What is left is number 5, and that's being taken care of right now. Number 9, my guy is working on that now. Number 2-bathroom door he said was easy, but we need just a bit more time before the next inspection.

Moermond: were there inspections preceding September 24?

Vue: no. The initial referral came in February 2024. Then multiple orders sent, February, March, April, June had a no entry noted. July 30 the inspector met with the Responsible Party and was informed nothing was done and asked for an extension to November 1. That is when it was transferred to me because the inspector was reassigned, and since then I've had no response from the property owner.

Moermond: and the standard way of communicating is by letter, with the appointment on page one?

Vue: yes.

Moermond: I'm not seeing anything specifically for the upper unit?

Vue: I haven't inspected the upper unit at all, the complaint was specifically for the lower unit which has since been uncertified.

Moermond: we have this list and when Ms. Vue gets in there she will look at not only this list based on a partial inspection, but a list for the entire property, including the upper unit. Sounds like you want more time, do you have a timeframe?

Claytor: maybe November 1.

Moermond: but a fair number are done.

Claytor: I don't understand number 10 and 1. The rest are done or nearly done.

Moermond: and this is part of what we're dealing with. Why don't we take a second now to describe what you mean when you wrote 1 and 10.

Vue: Number 1, when a unit is uncertified it just means it can't be occupied until inspected by our office. Based on the notes from the previous inspector, this typically happens when the unit becomes unoccupied, maybe turning that unit and gives it more

time, and then when the turn is completed you'd reach out and the inspector would conclude the inspection.

Claytor: I wasn't planning on renting it out until it was done.

Vue: 10 is the code which states the grounds for the revocation of the Fire Certificate of Occupancy. We are required to state this code, chapter 34.09.

Claytor: I did sign a paper and turn it in.

Vue: you gave this to me last week, yes, the smoke detector affidavit.

Moermond: you've got someone doing the repairs. Most important is getting a full inspection and then I can give an extension to do that longer list based on having complete information.

Claytor: I was told if everything on the list is done on the lower unit, I don't want to evict the tenants upstairs.

Moermond: and I don't want you to do have to do that. I'm trying to come up with terms or conditions to give you time so those consequences don't happen. You're working on it, you're here today talking, all positive things. Let's come up with a complete list so you have a fair shake and then you can put together a work plan on how you will tackle it. I also wanted to be super clear that there was going to be more so you weren't shocked. I'd like to get that unit downstairs approved so it can be occupied. Are you good with that approach? Ms. Vue, I know you are very short staffed. I'm thinking if we can do an inspection in the next 3 or 4 weeks?

Vue: that's doable.

Moermond: maybe we can just schedule it now.

Vue: I would be the one doing the inspection. Is there a work schedule we need to work around?

Claytor: I can be free 5 pm?

Vue: it needs to be between 9 and 3 pm.

Claytor: I can do 3 pm. Fridays work best.

Vue: what about Friday November 1 at 3 pm?

Claytor: yes. That should work.

Vue: if I may request, to clarify your mailing address and phone number?

Claytor: my number is 612-434-6201. My mailing address is...

Moermond: is it the Fuller address?

Vue: 360 Fuller Avenue West?

Claytor: yes.

Vue: is that a single family?

Claytor: no, it is where people rent a room.

Vue: is there a specific unit number?

Claytor: no, they just look at people's name. You could put floor 3.

Vue: my letters have been returned on multiple occasions to this address in the system.

Claytor: oh, really?

Vue: email would also be great.

Claytor: [gives email] I'll need to talk to them about that. You aren't the first one whose told me that.

Laid Over to the Legislative Hearings due back on 11/12/2024