



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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651-266-8585

Tuesday, October 22, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [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. (Amend to remove only)

Sponsors: Noecker

Remove within 15 days with no option to repair.

Tom Radio appeared

Hye Young Shin, potential Purchaser appeared

Brother of Hye Young Shin appeared to interpret (no name given)

[Moermond gives background/summary of file]

Staff update by Supervisor Joe Yannarely: no calls to the property, and if there were, they would be very responsive as they have in the past.

Moermond: after we talked last there was a follow up letter on September 9. I know we had that translated to Korean. The City Council could give more time but they wanted a nuisance abatement plan put into place. I did receive a document from Mr. Radio, so I'll turn it over to him to review that.

Radio: as I set forth in my October 21 letter, after the Council Public Hearing we proceeded to put together the nuisance abatement plan. Three bids, one for the security fence, second for security and alarm system and third was a temporary electrical service bid as well. That's about \$36,000. Another element to negotiate was the closing date. This has been going on so long, we had a sixth amendment for a closing date. We were talking through brokers about who is going to pay for this. Tri-City said they expected the buyers to pay for them, since after they closed it would benefit the purchaser. Through negotiations we reduced the price and we'd pay 25% of those costs. I've talked to their broker and they have refused to make any contribution to those improvements. We're at a juncture where the sale may be falling apart if we can't bridge that gap.

Hye Young Shin: I disagree on paying any expenses to improve the building because if

they were taking care of the building prior to this most of the issues never would have happened. They have to do the environmental testing and technically the seller has to pay for those costs, but I paid for half. I can't keep paying to improve the building before I even purchase it. That's the reason I don't want to split the cost of the nuisance abatement plan. I think it's the seller's responsibility.

Moermond: looks like your broker was copied on this letter. Where is the purchase agreement at now?

Radio: we have a signed purchase agreement, but the only open item is the closing date since we've passed the last date. We proposed a quick date within the next couple of dates. Originally it was listed for \$900,000, reduced to \$600,000 for the first purchase agreement, we've arrived at \$300,000 on condition that the buyer has cash to close quickly. Significant reduction and we've tried for a month to negotiate that sixth amendment. I understand holding off to see the bids, but in terms of who should be paying it is in the eye of the beholder. The motivations behind it are extraneous to an arm's length transaction like this. I've spoken with the broker, it gets translated from broker to purchaser's brother, to purchaser. I'm speaking with a national organization. We're all just exhausted.

Hye Young Shin: since we met a month ago, everything is on hold because you wanted a City inspector to come out to see what needs to be done before it can be used. We're waiting on that, but they never came. We need to know what you guys need in order to start construction. We have a company with estimates, but that's our improvements but the City maybe wants more on what she wants.

Moermond: the City isn't responsible for the Code Compliance application. Do we have a new application for a Code Compliance from anyone?

Yannarely: no new application.

Moermond: the letter says to apply immediately for a team inspection and the application was attached in the email. So someone needs to own that.

Brother: the seller is supposed to do that right?

Moermond: anyone can do that.

Brother: we didn't know that. We were basically waiting on that.

Moermond: perhaps you didn't understand the nature of our conversation, installation of the items is what it says. Not bids for that. First paragraph in the letter. The expectation for me walking in today—I have bids and they aren't signed—that's far from what the Council is looking for. But that isn't it being done. Who accepts responsibility and at what point? I see buildings on the brink of death and the purchaser knows that, but that's typically where the price reflects that. We wouldn't be having this conversation if the building were in perfect condition.

Hye Young Shin: we've stopped by a few times and nothing was done.

Moermond: so you disagree with the premise the plan is necessary.

Brother: we'd like to get it done before we purchase—

Moermond: but you don't want to pay for it.

Brother: of course not.

Moermond: and I don't care who pays for it and how its negotiated. The council wants it done. You may stop in during that 5 mins a day, but that's not when the garbage gets dumped or things get stolen. We want 24/7.

I'll be honest with you; your broker got this letter. You got this letter. It outlines clearly what the Council is looking for. I would be remiss in not telling you the Council is ready to say they're done, its been over a year. We haven't seen you in hearings, and you've been invited many times but we've heard you didn't want to come.

Brother: he told us we didn't have to be here.

Moermond: and he wasn't either.

Brother: we got the update from the seller's party.

Brother: the realtor told her she didn't need to be here.

Moermond: so the people you hired gave you bad advice.

Brother: ok.

Moermond: I need a plan on how this building gets back on its feet. Part of that is the inspection report, transferring title, money to do it. It has been communicated that it needs to happen.

Brother: whatever needs to be done now to fix it, fences security camera, etc. As soon as she gets the final estimate she's willing to close and start work. That needs to be done before she signs the final paperwork. She doesn't want to spend any extra money on it.

Hye Young Shin: I'm willing to close right away if the seller takes care of it. I've been waiting for a year to purchase, but its continually something comes up. That's why I can't sign. Once I sign I'm responsible for everything to be done, and I don't want to do that.

Moermond: evidently.

Brother: the seller has to do everything until she signs something.

Moermond: I don't care what you negotiate. I don't care who pays for it. This building can be demolished based on the decisions you are making right now.

Hye Young Shin: I understand. If it doesn't work I will walk away.

Moermond: here's the thing, I'd like to hear from Mr. Radio on where his client is. They have a purchase agreement that stops them from signing something with someone else until this is cancelled.

Radio: we haven't.

Moermond: our office has been, and we're copying them on the correspondence. If it can be helped, if it is going to stay standing, there is some moral obligation on your part that you're out of it so they aren't left holding a bag on a demolished building because you haven't walked away and they can't negotiate with someone else. You know you're working at the bottom of the real estate building. You know it has flaws that needs to be addressed. Hence the discounted price. That's not my decision, it is yours.

Hye Young Shin: hypothetically if both parties agree on the amount to purchase right now, and she starts construction, can the City still be talking about tearing it down?

Moermond: is closing on the building sufficient? No, what we've been looking for all along is a new Code Compliance Inspection Report, plans, a schedule for the rehab and money to execute that rehab. That and obviously the closing documents. Those things together are the things I bring to Council.

Radio: the City wanted that nuisance abatement plan in place. That all had to be done by yesterday. It wasn't. Closest we got was getting bids. They weren't willing to execute until we agreed upon the price. Then the hearing officer would have asked for an extension to December 23 to complete.

Moermond: Council feels like they are going to give time in exchange for locking it down better so it doesn't have more problems. That was what I was getting from that. Mr. Radio, where is your client in all of this?

Radio: I'm running out of ideas to keep the matter going in its current framework. They are so close. This last reasonable request by the Council threw up all sorts of emotions and injections and arguments. Those were needed to have in place when the remodel starts, because they'd want to lock down any materials. We're talking another 27k for the seller to assume. But its something the purchaser would have had to spend in any event. I do think the brokers need to get together one more time. They would forfeit their earnest money if the deal is cancel. The seller can do what they want, we're all responsible commercial parties making business judgements. No one has been hurt or harmed, no bad faith. I still think this is a deal that should go further. It serves all the stakeholders, City, neighbors, buyer and seller. The timeclock doesn't stop. The City has been very patient.

Yannarely: and the team inspection fee of \$524 seems like it could have got going immediately.

Radio: I do think their broker should have been more involved in the deal.

Brother: Mike tried to contact your broker many times with no reply.

Moermond: that's between you guys. What I need to see is what was supposed to happen didn't. Right now, if you want to buy it, you want to sell it, you have to go to Council and explain to them why you should get a chance to do that. That's jumping in front a bulldozer to say you want a chance. And if you're walking away then Mr. Radio is there to ask for more time to negotiate with someone else.

Your broker needs to have a conversation with Mr. Houge today to figure out what kind of information you're going to provide to the Council. Everyone would love that to go in there.

Brother: she's running out of patience too. She hasn't been working for nearly a year. I didn't know it was so difficult to purchase. Had no idea.

Moermond: and that's why you hire a broker.

Radio: I understand, it has been a tough property.

Moermond: if you wish to testify you have to sign up by noon today. Otherwise, we'll see one or both of you tomorrow.

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

2 [RLH RR 24-44](#)

Ordering the rehabilitation or razing and removal of the structures at 925 MAGNOLIA AVENUE EAST within fifteen (15) days after the December 4, 2024, City Council Public Hearing.

Sponsors: Yang

Layover to LH November 26, 2024 at 9 am. PO to post PD and order (new) CCIR no later than COB Friday, November 15, 2024.

Brian Balsaitis, owner, appeared

[Moermond gives background of appeals process]

Moermond: and you are 925 Magnolia?

Balsaitis: yes.

Moermond: and the only one?

Balsaitis: yes.

Staff report by Supervisor Joe Yannarely: the building is a one story, wood frame, single-family dwelling on a lot of 4,879 square feet. The Fire C of O was revoked on June 23, 2010 and the property was referred to Vacant Buildings with files opened on June 29, 2010. The current property owner is 925 Magnolia Avenue E LLC, per Amanda and Ramsey County Property records. On August 14, 2024, 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 August 21, 2024, with a compliance date of September 20, 2024. 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 \$25,000 on the land and \$171,900 on the building. Real estate taxes are current. The vacant building registration fees were paid by check on June 26, 2024. A Code Compliance Inspection was done on August 17, 2021 and has since expired. As of October 21, 2024, the \$5,000 performance deposit has not been posted. There have been thirteen Summary Abatement notices since 2010. There have been four work orders issued for: Garbage/rubbish and snow/ice. Code Enforcement Officers estimate the cost to repair this structure exceeds \$75,000. The estimated cost to demolish exceeds \$30,000.

Balsaitis: I bought into this LLC, a David Schmegehlagen owned this and 2 other buildings. It's been a long road and I'm now the sole owner of this property under this

LLC. This is the only property. I didn't get full control until about 6 years ago. About 90% of the stuff on the 2021 list is done. 2 new HVAC units. Upstairs is completely sheet rocked. Downstairs we need to pull a permit for the insulation inspection. Then all we have left is trim, doors and floors.

Moermond: you got this notice a while back and all of the Vacant Building registration notices say you need this Code Compliance Inspection Report and they are good for a year. When it became a Category 3 you had to post the \$5,000 Performance Deposit.

Balsaitis: I've had nothing mailed to my house except the normal Vacant Building registration, for \$4,800. That's all I got.

Moermond: does the order to abate a nuisance building not cover this?

Yannarely: we did have a conversation covering what he'd need to move forward. The Performance Deposit, new Code Compliance Inspection Report, estimates to bring to code. We're basing our estimate on the old Code Compliance Inspection Report. If everything is done it should move pretty fast. But he still needs Mr. Zane out to redo it.

Moermond: I'm perplexed about the order to abate here. You only send those for Category 3's, right? IT does say it, it isn't emphasized sufficiently.

Balsaitis: I never got it. My first notice was the posting on the door.

[Moermond walks through each requirement to receive time to rehab: Performance Deposit, work plans, etc]

Moermond: let's get the Performance Deposit and Code Compliance Inspection Report applied for, that is doable. If they're done by December 4 I can ask the Council for more time to pull the rest together easily. Let's talk November 26 and check in with you. We can figure out how the report goes to Council the next week. We can do that by phone, let Ms. Vang know.

Laid Over to the Legislative Hearings due back on 11/26/2024

10:00 a.m. Hearings

Making Finding on Nuisance Abatements

- 3 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

Recommendation forthcoming.

Voicemail left at 10:16 am: this is Marcia Moermond from St. Paul City Council calling Stamate Skliris about 733 Fairview. I see Mr. Ubl was out there October 7 with an 8-item punch list. I don't believe Mr. Ubl has been back out to confirm. That's what we're looking for before further enforcement.

Moermond: the owner, Stamate Skliris showed up at 11:26 am, his hearing was scheduled for 10 am. Vacant Building staff were already gone, so we were unable to conduct a hearing on the matter. We can invite him to provide supplemental materials

within a week.

Referred to the City Council due back on 11/13/2024

11:00 a.m. Hearings

Correction Orders

4 RLH CO 24-13 Appeal of James Dittel to a Correction Notice at 997 SHERBURNE AVENUE.

Sponsors: Bowie

Deny the appeal and grant to March 1, 2025 for compliance.

James Dittel, owner, appeared

Michael Dittel, son of owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: September 10, 2024 a Correction Notice was issued for the cargo container. Chapter 34.08 specifically does not allow these for storage. We asked for it to be removed by October 10. There are photos showing the size and also October 10 an Excessive Consumption fee was sent for failure to remove.

Moermond: that was the first order, September 10?

Martin: yes.

James Dittel: September 10 I never received the letter. I would have addressed it sooner. I got 3 letters October 12. I called that Saturday and left a message, then called again Monday and spoke with David and there was also a temporary hockey board, I also got rid of. I have a small house and a one car garage and due to his needs my son has lots of things like big bikes. I got this container 5 years ago when my girlfriend, wife briefly, needed a place to store her stuff. I never had a complaint before now. It has been full, empty, when it was empty I thought it makes me feel safe. Houses 2 houses down the garage has 3 bullet holes. Michael's swing set is there. It isn't in the alley; it is up against the fence. I store some of our things since I don't have a bigger garage. I'm on disability and SS disability, he's on social security. I can't afford to build a new garage, but its more a safety issue for me and Michael. People are constantly stealing things and breaking into garages. Even locks don't stop them. My garage has been broken into 10 different times. I also have a jacuzzi for medical reasons and I feel safer being able to use it any time. The alley is secluded. You can't see when people are coming down like you can the front. It is a safety issue. I would feel unsafe if I had to remove it because bullets could get through easier and people could break into my yard or abduct my son. A lot of issues there. I would really like to keep it. I pay \$100 monthly to rent it. I'd like to buy it there and leave it there for protection, and occasional storage. My request is for a variance to keep it there for my safety.

In the news just two days ago Hamline Midway, had a segment on the news about all the crime in the area. Hiding in nooks and crannies, drugs and other things. That is additional on top of this. I don't want to have to worry about someone doing that up

against my garage or in my backyard. It is a whole City issue, not just my issue.

Martin: we've had other residents in the past that have had these and building code doesn't allow them in a residential neighborhood. You have a six-foot fence around the back, not sure if that is still there.

James Dittel: the fence is there. Neighbor across the alley was drunk and tried to run over his wife and baby and smashed into my fence, so its broken and I couldn't afford to fix it. Even if I had to get rid of the container, I'd like to build a 10-foot metal wall so bullets can't go through. I don't want to have to carry a weapon out there. Safety for me and Michael. That's what it is about.

Moermond: I have a great deal of sympathy from where you come from. We all want to feel safe in our own homes. When I hear stories like yours my mind goes to the building code says no, the City's code says no, but the problem you are faced with is you want some safety and security you believe the container is providing. My first thought goes to, would that \$100 buy you a repaired fence and perhaps a new fencer. You can go up to 7' and could get a variance for higher.

James Dittel: I would really appreciate some consideration until I could afford to build another garage or something. I shouldn't have to move because its unsafe, I can't afford too anyway.

Moermond: how wide is that section?

James Dittel: 20 feet and 8 or 10 feet tall. Its about 8 feet wide. I have 10 feet from the back fence to the alley.

Moermond: I can't tell you it is ok to keep it.

James Dittel: a variance?

Moermond: I can't do a variance of the state building code. You should try the building official. He's reviewed a couple and said no.

James Dittel: in the past, a block off University, I'm constantly concerned about crime. If I got a petition from my neighbors would I be able to keep it? Who else is going to see it?

Moermond: its not actually a building and its about safety. It's a big metal box.

James Dittel: there are four locks on the doors and it has ventilation.

Moermond: it still is not a building.

James Dittel: I did rent a garage for a couple years at my father's. I had to move it out because the guy wanted to park his car there. I rent a storage container in Eagan, and I can put most of the stuff in there, but I would still feel very safe in my own back yard. And I also couldn't leave a single thing out there or it would be stolen.

Moermond: I honestly can't give you permission on the steel fence, you should be talking to Department of Safety & Inspections—

James Dittel: before I even got it there, I called someone to make sure it was ok, I

don't remember their name. It's been there 5 years.

Moermond: and it doesn't matter how long. I want to give you time to have this conversation and at the same time say no and give a deadline. I'd like a sense of how broken your fence is.

James Dittel: there's a double fence that opens like a gate, they broke it completely. I have rope around it to keep it together to help it stand. Anyone could cut the rope.

Moermond: and a chain would do that too.

James Dittel: they can easily climb over. They've bent portions of the fence before to get in. Ideally it would be nice if police patrol the alleys too. I just want to be safer in my own neighborhood. To build a new fence would be a few thousand dollars, I don't have that money. It is hard to get a loan because I'm on disability.

Moermond: the two other intermodal cases I've had this month I gave a January 1 deadline and a February 3 deadline. I'm comfortable going to March 1. That may mean you have a temporary solution. Ramsey County House Call may have a way to help [discussion of what they do].

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

1:00 p.m. Hearings

Vacant Building Registrations

- 5 RLH VBR** Appeal of Zoltan Pusenyak to a Vacant Building Registration Notice and
24-59 Code Compliance Inspection Letter at 1024 MINNEHAHA AVENUE EAST.

Sponsors: Johnson

Grant appeal and release from VB program and grant to November 8 for all interior repairs plus temporary fix for potholes in driveway, and grant to May 1, 2025 for balance of orders.

Zoltan Pusenyak, owner, appeared via phone

María Salas, owner, appeared via phone

Eric Day, attorney on behalf of owner, appeared via phone

Romisha Jones, tenant, appeared via phone

Shaff: last week inspector Chute & I inspected with the property owners and tenant. Pretty much everything in the interior was done, we did find a couple additional things that were missed, the fridge and range are plugged into an extension cord. The stairs from the basement on the side door needs to be sealed. The outside we had better clarity with the property owners on things that need to happen. Quite a few shingles on the siding that are curling, missing, chipped and peeling paint. The driveway, parking surface in back, has pretty deep holes and ruts. Perhaps one of the worst I've seen. Similar siding issues on the garage. We're getting to the point in the year where some of the exterior things are going to be tough to do. I don't know it is imperative they're done immediately.

Moermond: number 12 on the new orders, the note says maintain windows in good

condition and multiple with broken glass.

Shaff: a couple cracks, some screens that need attention, a storm window is broken.

Day: I did also have a question about the windows, as one of the more costly repairs. At this point the owners are anticipating doing the repairs but unable to do so quickly. Their intent is the tenants move out and they get things repaired. If they don't sell, then it will need to be inspected again, but their intention is to sell and the tenant needs to vacate. Per the lease it is month to month, haven't given notice yet, but it will be happening this week. May need some time to work on things but anticipate the tenant will be leaving the next couple of months.

Ideally we'd like to get a plan. Ms. Salas did mention verbally the notice to vacate. Written will be done this week. Tenant will be vacated end of November. They're going to need time to complete the work and come up with the funds to address everything on the list, weather aside.

Jones: well, first he just told me the day of the inspection they may be selling the place because they didn't have money or couldn't get loans. If they knew all this was going on, why tell me now when it is getting cold. We've been fixing the house ourselves, bought a new fridge, spent \$600 in July. For him to say they hope we'll be out in 30 days. Where the hell can we go in 30 days? They should have told us in March, May when you collected our rent. I've been trying to be nice but this is ridiculous. Where can I move in 30 days. Having me fix your property. I need more time. If he knew this he should have told me in March when he was getting those notices and we need to be looking for someone else. He told us this after Leanna left, that he was going to sell the house and he doesn't qualify for loans. I need more time for myself and my family.

Moermond: neither for the owner or tenant can I handle any part of the lease agreement, eviction, that is a district court matter. I can only suggest you get representation. That's where I'm at with that part. Honestly when I look at a pile of exterior items I'm looking at what is weather sensitive and what isn't. My initial assessment of the orders are the mold in the bathroom window frame and trim, fridge plugged into an extension cord, and the stove and fridge plugged into same outlet. That may require an electrician and a permit for the work. I consider those interior items that can't be pushed. I'm not a fan of broken glass. A storm window is an easy fix at the hardware store. If its an older window with a sash, you may need a glazer. So, glass, electrical, and mold be addressed by November 8. That driveway sounds pretty bad, but I imagine that's weather sensitive for a permanent fix. Ms. Shaff a temporary fix?

Shaff: it would be helpful to not park on, but it is deep, it could be filled in with some class 5 to help. It is definitely an ankle breaker right now.

Moermond: that sounds like a good temporary fix on the way to permanent repair or replacement. The balance I'd look for a work plan from you folks. It would be reasonable to expect that work done by May 1, 2025. If you can't, put together a plan with deadlines you think are doable and I'm happy to respond. I'll send this to Council Public Hearing November 6. I'd like the plan locked in by October 31, close of business.

Day: Ms. Shaff, with regards to the roof, is this a replacement? How much is needed.

Shaff: of course I wasn't up there. There's one damaged shingle and just a little bump. Get someone up there to make an assessment, I'm guessing it can be repaired pretty easily.

Day: ok. It wasn't clear from the language in the letter.

Shaff: I doubt it needs replacement.

Salas: I will investigate borrowing opportunities. The program is already closed. I don't want her to have to move but we need to fix these things and its easier without them in there.

Moermond: your appeal is about the Vacant Building status. You don't want to be in the Vacant Building program. I'm letting you do small fixes, repairing windows versus requiring new windows. This is to buy you time to figure out financing and the other kinds of things you need to consider. I won't alter any recommended deadlines on difficulty getting in. That's a you problem.

Jones: you are supposed to let us know 24 hours ahead of time.

Moermond: that's about you guys. I'm focusing on the deadlines here. I've invited you to submit the plan, but if I don't get one by the 31st I will make one up and share it with you.

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

**6 RLH VBR
24-60**

Appeal of Romisha Jones, Tenant, to a Vacant Building Registration Notice and Code Compliance Inspection Letter at 1024 MINNEHAHA AVENUE EAST.

Sponsors: Johnson

Grant appeal and release from VB program and grant to November 8 for all interior repairs plus temporary fix for potholes in driveway, and grant to May 1, 2025 for balance of orders.

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Shaff: a couple cracks, some screens that need attention, a storm window is broken.

Day: I did also have a question about the windows, as one of the more costly repairs. At this point the owners are anticipating doing the repairs but unable to do so quickly. Their intent is the tenants move out and they get things repaired. If they don't sell, then it will need to be inspected again, but their intention is to sell and the tenant needs to vacate. Per the lease it is month to month, haven't given notice yet, but it will be happening this week. May need some time to work on things but anticipate the tenant will be leaving the next couple of months.

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Shaff: I doubt it needs replacement.

Salas: I will investigate borrowing opportunities. The program is already closed. I don't want her to have to move but we need to fix these things and its easier without them in there.

Moermond: your appeal is about the Vacant Building status. You don't want to be in the Vacant Building program. I'm letting you do small fixes, repairing windows versus requiring new windows. This is to buy you time to figure out financing and the other kinds of things you need to consider. I won't alter any recommended deadlines on difficulty getting in. That's a you problem.

Jones: you are supposed to let us know 24 hours ahead of time.

Moermond: that's about you guys. I'm focusing on the deadlines here. I've invited you to submit the plan, but if I don't get one by the 31st I will make one up and share it with you.

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

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 7 **RLH VO 24-33** Appeal of Jerry A. Brashier to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 511 MINNEHAHA AVENUE EAST.

Sponsors: Noecker

Forthcoming recommendation pending inspection (Friday, October 25 at 1 pm.) and owner's proposed plan and schedule to come into compliance (submitted no later than COB 11/6/24).

Jerry Brashier, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: this is an inspection with Daryl Chute. Approval with corrections of Fire Certificate of Occupancy in February. It talked about window frames, trim boards that are water damaged, replace missing screens, exterior walls. Chipped and peeling paint, trim on fascia. Quite a bit of exterior things, it was February so paint wouldn't stick.

Moermond: so, approval with corrections say you're good to go but things that need better weather we're happy to give an extension on.

Shaff: right, it was given until June. June 12, July 22, and September 16 we still hadn't received anything about improvements to the exterior for the items cited. The inspector did talk with me and we make it so we know the weather sensitive items have until early summer. I can't paint my house and you can't paint when its really wet. This

should have been taken care of a long time ago. I agree there are some items that perhaps appear to be replaced. I drove by this morning and it looks like you've opened up the exterior walls and put wrap on to replace window wood. But I have noticed there's a lot---not sure why this wasn't caught by inspector---but there are a lot of tuckpointing that needs to be done. We had a fire pit, not sure if that's removed yet. That window work especially, once you open the building envelope we require a permit.

Moermond: you have notes for the items. Tell me where you are at.

Brashier: I'm appealing for myself and the tenants that live there. Everyone out by November 1 is harsh. I do feel like the goal posts have moved continually. The initial orders from December 2023, the items do change. It isn't the same issues, so it isn't like I haven't tried to comply. That being said, the cosmetic work on the windows, it is indeed cosmetic. I did invite the inspector back to show him I wasn't replacing windows; I have videos so it shows the windows themselves aren't being done but the outside windows are as you requested. I want to comply, I really do. As Ms. Moermond can say she heard, I have a construction container out there because I'm trying to get work done on the building. If you look at any time in the past through these subsequent inspections, lots has been done for each one. I took all the boards off, since I wasn't passing on the trim boards. So, I ripped all the trim boards down, only to be told that also wasn't good enough because the stubs that stuck out I have to paint. That's silly, if I paint the end of a board that's supposed to breathe. So, I put trim boards back on, after I took them off. I put up a big plastic trim board this time. If we start with the fire pit, it was a 12" thing a tenant put there. I have a giant pile of dirt on that thing, I got rid of it completely. I have photos. It is all gone.

Moermond: that's something easily seen on reinspection. Let's talk more about the windows.

Brashier: when you look at the parapet walls, Bayport, it has been going on forever. I gave them a deposit a while ago, hoping to be redone. The repointing of those parapet walls, insurance did give me a green light on, and that's been in limbo because they wanted to include the roof. That was done a while ago.

Initially peeling paint was the problem on all the windows, and the trim boards. The inspector wanted all the buckboards around the windows replaced, ground down or filled. I informed them it was a Herculean job he was referencing and I did show the structural integrity. I was literally kicking the bottom of the windows to show him they're rock solid. They're in no way impeding the safety of anyone. He told me they all need to be replaced, painted, or I could fill them with putty or have them wrapped so he didn't see it because it looked unsightly. I did redo the buckboards so when you look you can see the wood, but I can show you the video --- but I'll finish reading my little statement here.

I again put trim boards along the front skirt board because he came back and said it wasn't good enough after I painted it. Then the paint peeled because its an exterior rated board, then I even scraped off one so if you drove by today, I scraped to show its marine grade plywood that's being shown. If you took a photo today, I wanted to showcase that. It is impervious, meant for water contact. I did that so it could be seen. The integrity is fine on this.

The hole in the back where the trim boards used to be, they were for cosmetic purposes only. Give or not give. However, Bayport asked me to take them down so they could see exactly what was below for insurance. I removed them to get

tuckpointing bids.

I did fill all the holes back there, the 5 holes that held the trim boards up. They were the size of a dime. I filled with white caulking to contrast with the tarred area so they can't be missed. I can show a photo of that. That's the windows and the trim boards. I hope that satiates your concerns. If you drive by right now I specifically peeled all the paint off the plywood so it could be seen. I have a photo of that too. It isn't rotting, I took the paint off so it could be seen. I stopped everything so he could look at the window inside to outside, see the wood that was replaced, because I'm not redoing windows. This is to pretty it up. We're not removing windows. I left it like that. He in turn said I was failing to do anything. I called him and left a message and sent an email to ask what was going on here. That's the end of it and now here we are. I haven't heard back from him, but I'm guessing he did tape to the front door the Revocation notice. But that's the windows and the trim boards. Does that answer every concern you have ma'am?

Shaff: no. It does not. Looking at the photos, even on the 14th and thinking there's all sorts of exterior problems.

Brashier: can you elaborate, ma'am?

[Shaff shows a photo]

Brashier: that's where I ripped the whole trim board off the front and now it is back on. What are your other concerns about the windows?

Shaff: this one?

Brashier: that's the one I have the video of! The one I left undone. But if you drove by this morning you saw that's done now.

Shaff: it isn't done because I can't see what's underneath it.

Brashier: ah, but I have a video to show you everything. May I show it to you?

Moermond: are these the photos you're looking at?

Shaff: yes.

Moermond: we can give him this set.

Brashier: I have photos and videos to show you what is under it.

Shaff: I understand that, but the wrap around the windows, is it all taped properly and all that kind of stuff too? That's what you're saying?

Brashier: that's cosmetic.

Shaff: not necessarily.

Brashier: I put the barrier up just to put the barrier up. If I peeled it back so you could see, it is the old windows. I just put it back the way it was before. This was the cosmetic face; this was the old trim that's like 100 years old still there. I can show you inside to the outside. It is rock solid. You could drive a car into it.

Shaff: how long have you owned this building?

Brashier: I bought in between deployments, so I want to say 2017 or 2018.

Shaff: you've replaced the windows somewhere along the line.

Brashier: no, I did not. I was trying to find the historic registry. I found the church across the street because I thought it would be super fun to see what I could find, it used to have a roof and all this stuff before. It was a master electrician who owned it before me, by the name Josh Berbel but I called him twice and for whatever reason he let it go to the bank. He owned the entire block. That's neither here nor there, but no, it wasn't me. He may have, but I couldn't ever get ahold of him. I was just putting back the way things were and replacing the wood because just the wood on the outside I was told was in question. I have a whole video showcasing the old trim behind the Tyvek. This window has not been replaced.

Shaff: I'm not doubting that it hasn't been replaced. Somewhere along the line it has been, no permit. That is not a source of contention however I do question integrity given the state of the rest of the building, with lots of open joints, missing mortar, holes around window frames, etc. I have difficulty with that.

Brashier: are there holes around window frames?

Shaff: from what I can see, yes.

Moermond: October 14 photos show obvious holes.

Brashier: there are no holes in the windows. There are the drilled-out dots, where the old window weights used to be in the walls. That's in some of them. You can still see all those are plugged. Someone probably did that 100 years ago.

Moermond: probably not. The photos I have are dated October 14, and there's a couple photos—here's the thing. We're going around and around. You want to show us photos and videos and I'd tell anyone coming in, we have to have inspector eyes on it. The last time, from this morning, I see we have—you're saying it cosmetic—but the area underneath the windows are missing.

Shaff: I'd like to go out myself with the property owner and rewrite the orders with more specifics.

Moermond: that sounds good, then everyone will be on the same exact page. That would be really helpful. If there's a correction and we can get a photo and be dealt with.

Brashier: I want it clear that I am trying to make this look as good as possible, keep it done, have it done right. That mailbox was \$5,000, which I only got because my tenants were worried about their packages being stolen. I wouldn't spend \$5,000 just for a mailbox if I didn't care. I recognize it needs probably \$250,000 in exterior work.

Moermond: we're not there. We're in a space of bringing it into minimum compliance. Not replacing windows. We have a supervisor going out.

Brashier: with your credentials ma'am I'm sure you can see that I didn't touch it.

Shaff: no, no don't presume you're sure I can see. That's why we're going out. Friday at 1 pm.

Brashier: I have a job.

Shaff: what are your hours?

Brashier: 7 am to 3:30 Monday through Friday.

Shaff: you'll need to make some arrangements to meet me out there during the day.

Brashier: alright.

Referred to the City Council due back on 11/13/2024

3:00 p.m. Hearings

Special Tax Assessments

- 8 **RLH TA 24-422** Deleting the Appealed Special Tax Assessment for property at 1225 EDGERTON STREET. (File No. CG2403A1, Assessment No. 240115)

Sponsors: Kim

Delete the assessment.

Moermond: we are recommending deletion because they were being build for both the old account and a new account.

Barden: correct.

Moermond: was this an issue also for Quarter 1 and Quarter 4?

Barden: yes.

Moermond: so, we'll be going back and doing a resolution for those quarters. And you've taken care of Quarter 3.

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

- 9 **RLH TA 24-421** Deleting the Appealed Special Tax Assessment for property at 75 MARYLAND AVENUE EAST. (File No. CG2403A1, Assessment No. 240115)

Sponsors: Kim

Delete the assessment.

Staff report by Jillian Barden: Waste Management has been triple billing a single-family home with one 64-gallon cart. They were made aware of the triple billing Quarter 2, 2022 and requested the assessment then being reduced then. They didn't remedy the mistake in their system, so they've continually been assessed for three 64-gallon carts. Staff recommends reducing to \$129.57.

Moermond: with late fees?

Barden: yes.

Moermond: the only way to rectify was by Waste Management fixing it or appealing, and Waste Management didn't do it. What would it be without late fees?

Barden: \$112.57.

Moermond: I think that's fair. This is a mess. So, 2022 was fixed, but 2023 we are going to do resolutions?

Mai Vang: yes, 3 resolutions have been sent.

Barden: I included late fees in the numbers I sent to Mail, do you want those without them?

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

- 10 RLH TA 24-428** Deleting the Appealed Special Tax Assessment for property at 1894 MECHANIC AVENUE. (File No. CG2403A1, Assessment No. 240115)

Sponsors: Yang

Delete the assessment.

No one appeared

Moermond: owner has proof of payment and its attached. Perfect, delete.

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

- 11 RLH TA 24-429** Ratifying the Appealed Special Tax Assessment for property at 1803 REANEY AVENUE EAST. (File No. CG2403A1, Assessment No. 240115)

Sponsors: Johnson

Reduce assessment from \$25.34 to \$8.60.

No one appeared

Moermond: after many gymnastics we went from \$25.34 to \$15.53.

Barden: no, reducing by \$15.53, to \$9.81.

Moermond: nope, the other way around.

Barden: \$9.80 is the new charge, for the bags and the \$1.10, correct? The \$13.44 late fees were Quarter 1 late fees from the Quarter 2 bill.

Moermond: down to \$8.60. Remove the late charges.

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

12 RLH TA 24-427 Deleting the Appealed Special Tax Assessment for property at 674 VIRGINIA STREET. (File No. CG2403A2, Assessment No. 240116)

Sponsors: Bowie

Delete the assessment.

Moermond: this is a deletion because they had a service hold on one of the units?

Barden: yes.

Moermond: recommend deletion.

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