



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Tuesday, March 10, 2026

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 26-3](#) Ordering the rehabilitation or razing and removal of the structures at 118 MANITOBA AVENUE within fifteen (15) days after the March 18, 2026, City Council Public Hearing. (Refer to April 28, 2026 Legislative Hearing)

Sponsors: Bowie

Refer back to LH April 28, 2026 at 9 am to review bids, financing, schedule.

J Vang appeared via phone

Moermond: we did get the Vacant Building fee, you applied for the Code Compliance Inspection Report and we got the Performance Deposit. That's all fantastic. I know you haven't received the Code Compliance Inspection Report yet, it isn't done. How long after you get that would it take you to put together bids?

Vang: a couple weeks for bids. Most would be 3 weeks. End of April I should have everything if its done by April 1. One of the inspectors called me, but I think I need four?

Moermond: I'm going to put this on my calendar for Tuesday, April 28 to review all your plans and financing, and send it to Council again May 6 with everything ready to go. I'll call the Department of Safety and Inspections and see if we can't get that inspection rushed.

Referred to the City Council due back on 3/18/2026

- 2 [RLH RR 26-5](#) Ordering the rehabilitation or razing and removal of the structures at 299 SHERBURNE AVENUE within fifteen (15) days after the April 15, 2026, City Council Public Hearing.

Sponsors: Bowie

Layover to LH March 31, 2026 at 9 am for further discussion.

Shelly Tesch, owner, appeared
Thomas Barter, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor James Hoffman: the building is a two story, wood frame, single-family dwelling on a lot of 5,358 square feet. The property was referred to Vacant Buildings with files opened on May 26, 2023. The current property owner is Thomas M. Barter, per Ramsey County Property records.

On January 6, 2026, 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 January 12, 2026, with a compliance date of February 11, 2026. 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 \$89,700 on the building.

Real estate taxes are delinquent for 2024 and 2025 in the amount of \$17,489.46, which includes penalty and interest. The property is scheduled for tax forfeiture July 31, 2028. The vacant building registration fees were paid by assessment on July 1, 2025. As of March 9, 2026, a Code Compliance Inspection has not been done. As of March 9, 2026, the \$5,000 performance deposit has not been posted.

There have been two Summary Abatement Notices since 2025. DSI does not currently have information going back to 2023. There have been two word order issued for: Garbage/rubbish and Tall grass/weeds. Code Enforcement Officers estimate the cost to repair this structure exceeds \$125,000. The estimated cost to demolish exceeds \$30,000.

Moermond: this has been in the Vacant Building program about 3 years. A lot of past due taxes, not including the 2026 bill. No Code Compliance Inspection Report so we don't know all the things to be done to rehab. Also noting we only have information from August 25 to the present for orders to the property. Nothing from July 2025 backward. Where are you at with it?

Barter: I'm trying to sell. I have to get some antiques out. It has been broken into 5 times. I've been in and out of the hospital the last 5 years. [lists various medical history] I just recently got a part time job. I don't have any money. I just want to sell, but I don't have any money to have a place to put that stuff. I can't move it myself. She's on a limited income and can't pay for anything.

Tesch: it is hard for me to talk. I just barely make ends meet. I live over on Clarence. My two daughters help me.

Moermond: Mr. Barter where do you live now?

Barter: I'm at my brothers and here or there. I can't live in the house because the heat was turned off.

Moermond: do you have email address?

Tesch: no.

Barter: at my part time job, but I don't have a physical address.

Moermond: if we mail one to you Ms. Tesch can you get one to him?

Tesch: yes.

Moermond: we'll do that, and if you give your email address we can send it there as well. Have you reached out to anyone about selling?

Barter: I haven't. Between my medical issues and part time job that's about all I can manage. Now that spring is coming it would be easier to get someone in. They destroyed the inside of the house. They threw stuff in boxes all over. They trashed the whole place.

Tesch: I haven't seen in for years.

Barter: I need help cleaning it out. There's antique desk and dining room table. I'm living just out of my suitcase right now.

Moermond: would you sell them if you got them out?

Barter: yes. I just want to sell. Put some money away for my daughter.

Moermond: any developer is going to weigh the cost of developing/fixing, what debt am I acquiring with it. This case it would include the past due taxes. So you're off \$20,000 right off the top. I'm not sure what the single-family home market value is in that neighborhood. They'd make you an offer that gives them profit. That's going to be a small number.

Barter: I know that.

Moermond: I say that, make a few calls and look after your interest. They won't get permission to fix it without the Council's permission. Anyone that wants to fix it we need that Code Compliance inspection report, bids, financing, the Performance Deposit. That Performance Deposit is returnable upon completion of the rehab. I'm thinking the antiques are your best bet here.

Barter: I need money to get things cleaned out first.

Moermond: I'm thinking you should try and talk to the antique dealer. We had a hoarder case and they moved stuff for him and he got some money out of it. I would say don't spend money on the property until you know it will be saved. Right now what you'd be spending is housing money. You don't want to be double paying and trying to manage a place you can't move back into. Watch your pennies there for sure. Your first item of business is getting those antiques out without paying to get it cleaned out. Next would be reaching out to a flipper or developer.

Hoffman: in my experience, they're all different with different circumstances. There's offsetting costs. Make some calls, there are people out there that would jump all over that place. It has good bones. Electrical was updated you said. That's big based on a lot of the old housing around here. That's a good starting point. Find someone who would take it over. They're out there.

Moermond: if no one comes forward to rehab, the City would issue orders to remove

within 15 days or the City would take over. The cost of the demolition would be between \$30,000 and \$40,000 depending on hazardous materials.

Barter: there's asbestos in the basement.

Moermond: so that's probably closer to \$75,000. That's basically a walk away thing. If you can get someone to give you some money and they do the fixes, it would be best.

Barter: I don't see that happening.

Moermond: the money isn't washing. Reach out to those antique dealers. Make some calls. Let's talk again in a couple of weeks and hopefully you've talked to some people. But don't spend anymore money on the property because you aren't getting housing value out of it.

Laid Over to the Legislative Hearings due back on 3/31/2026

Making Finding on Substantial Nuisance Abatements

- 3 RLH RR 26-6** Second Making finding on the appealed substantial abatement ordered for 925 MAGNOLIA AVENUE EAST in Council File RLH RR 25-25.

Sponsors: Yang

Grant additional 180 days and continue \$5,000 PD.

Brain Balsaitis, owner, appeared

Staff report by Supervisor James Hoffman: Clint has it at 90%.

Balsaitis: I'm thinking 4 to 6 weeks Certificate of Occupancy for the first floor.

Moermond: if I recommend the Council gives you 3 months would that do the drink?

Balsaitis: the reason I'm delayed is I'm dealing with my father in Florida, car got crashed, house for sale.

Moermond: a lot going on. I'll recommend another 180 days. That's the end of September. This has a Council Public Hearing March 25th.

Referred to the City Council due back on 3/25/2026

Special Tax Assessments

10:00 a.m. Hearings

- 4 RLH TA 26-36** Ratifying the Appealed Special Tax Assessment for property at 860 EUCLID STREET. (File No. J2606B, Assessment No. 268105)

Sponsors: Johnson

Delete the assessment.

Moermond: we have a boarding and police report and it was a welfare check and it

turned out to be an overdose. Delete because of welfare check.

Referred to the City Council due back on 4/15/2026

- 5 RLH TA 26-50** Ratifying the Appealed Special Tax Assessment for property at 8 FOURTH STREET EAST (AKA 10 FOURTH STREET EAST). (File No. J2606B, Assessment No. 268105)

Sponsors: Noecker

Delete the assessment.

Moermond: another welfare check death investigation. Recommend deletion.

Referred to the City Council due back on 4/15/2026

- 6 RLH TA 26-44** Ratifying the Appealed Special Tax Assessment for property at 665 FRY STREET. (File No. J2606B, Assessment No. 268105)

Sponsors: Coleman

Approve the assessment.

James Miernicki, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor James Hoffman: police came and arrested someone and boarded it on the way out.

Moermond: the police report has a discrepancy in their report. It was p.m. not a.m. when they came.

Miernicki: the reason I'm appealing is because I didn't hear about any of this until afterwards. I didn't know the St. Paul Police Department was there or arrested anyone or boarded. Obviously they were doing what they needed to do with arresting the tenant, but if I'd been given the option to go board the door I would have done it myself instead of paying \$500. The police did quite a bit of damage to the unit which I've already had to absorb myself. I don't feel someone should be able to do something to my building without my permission.

Moermond: sounds like kind of a standoff situation. The reason they were there is legitimate and it is a private matter so I will recommend approval of the assessment. This has a Council Public Hearing on April 15th and you can speak to the Council and they may look at this differently than I do.

Miernicki: I'll consider that. What about a reduced amount for screwing ¾" plywood on the unit door. It is cheap material and 20 minutes of work.

Moermond: it's the \$250 emergency callout fee, and \$60 of the work. The balance is service fees from the City. That emergency call out is the bulk of the cost.

Referred to the City Council due back on 4/15/2026

- 7 **RLH TA 26-39** Ratifying the Appealed Special Tax Assessment for property at 2320 HAMPDEN AVENUE (aka 2286 HAMPDEN AVENUE). (File No. J2607B, Assessment No. 268106)

Sponsors: Coleman

Approve the assessment.

*Lorenzo Davis, realtor, appeared via phone
Genine Sampson, regional manager, appeared via phone*

[Moermond gives background of appeals process]

Staff report by Supervisor James Hoffman: November 16 St. Paul Police Department responded to a domestic. They arrested someone, some shots fired, and they had to secure a window that was broken.

Davis: we were never called. We didn't know anything about it.

Moermond: it was an emergency, especially with domestics. The St. Paul Police Department has to assure the property is secured, and they can't wait around for someone to come. They have to move on the next call. The reasoning for it is the emergency nature of the situation.

Davis: I assume there is City code for this?

Moermond: yes, its called an emergency abatement.

Davis: after speaking with the victim who was speaking with a domestic agency prepare for next steps--- were they asked by St. Paul Police Department to board? Or give an ok for that?

Moermond: they wouldn't have any property rights to make that type of decision. I'm going to recommend approval of this assessment as it was managed as an emergency but you certainly can appeal further to the Council and they may look at it differently than I do. That would be your next stop.

Davis: alright.

Referred to the City Council due back on 4/15/2026

- 8 **RLH TA 26-45** Ratifying the Appealed Special Tax Assessment for property at 847 MINNEHAHA AVENUE WEST. (File No. J2604B, Assessment No. 268103)

Sponsors: Bowie

Approve the assessment.

Alissa Wessel, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor James Hoffman: emergency securing, one door screwed shut. The St. Paul Police Department responded to a domestic. Arrest was made, and

the police secured the property before they left.

Wessel: I'd like to not pay for this as the cops broke the door when they entered. They did that because a glass fell on the floor, which is what the lady I was speaking with. She was coming to open it for them.

Moermond: we can send you a copy of the police report. It looks like there were exigent circumstances and officers entered the home after hearing screaming. Glass being thrown also. But the screaming is what led to the breaking of the door. Mai Vang emailed you a copy of the police report on February 27th.

Wessel: I do have it, I apologize.

Moermond: the answer to your question is in there.

Wessel: are we allowed to go after the person that is arrested?

Moermond: you are allowed to. The City attaches the cost to the property, but if you want to do a private cause of action that is up to you. It isn't something the City can do for you.

Wessel: that's fine. I'll send it to invoices to get paid.

Referred to the City Council due back on 4/15/2026

9 RLH TA 25-434 Ratifying the Appealed Special Tax Assessment for property at 932 PAYNE AVENUE (643 SIMS AVENUE). (File No. J2513B1, Assessment No. 258119)

Sponsors: Yang

Delete the assessment.

Kelley Gustaveson, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor James Hoffman: St. Paul Police Department responded to a gas leak. Xcel employees went into the Vacant Building and were met by people who shouldn't be there. They were removed and police had the building secured.

Gustaveson: the process of that whole day took longer than what it looks like on the report. I was called by Xcel and continued to talk to them throughout. Then I spoke to a police officer. I was out of town in Eau Claire, but as soon as I got a call from my neighbor I got in the car and took off. My own construction worker was on standby because she was breaking in like every day and doing board-up. So while driving I was talking to St. Paul Police Department and Xcel and they knew I was coming. I told them not to worry about the boarding because I had someone. The Xcel guy waited for me. They had gone into the basement to try and get the water heater to work. Then I noticed there was this man there. They said he's here to board. I said I didn't need anyone to do that. He said "well I just called him anyway". I said I didn't know if he was going to do it the way I want it. I told him to go. He was boarding up the dog door hole she had crawled through. He actually took a 100 year old oak shelf that belongs to a built in and used that to board the hole. I didn't realize that until later. I would have lost it then had I noticed. I have photos of it. He boarded it. My guy boarded the outside.

The woman breaking in came back again that night and removed the plywood outer board and kicked through the 100 year old shelf and busted it in half. Even if I could have fixed it, it had now been broken. I don't think I should have to pay for someone I didn't want to come in, used part of my furniture to board, and pay them. That is ridiculous to me. I had no way of knowing who had done the work prior to getting the invoice a month ago. If I wasn't there. If they hadn't done a terrible job. I'd understand. But this was crazy.

Moermond: I'm going to acknowledge you were on site and ready to take care of it and it shouldn't have been done by the contractor. I'll recommend this assessment is deleted.

Gustaveson: thank you. Can you note to Council to not use RestPro anymore? I feel bad for anyone else who has that happen.

Moermond: what kind of follow up do you do with RestPro in terms of their work.

Hoffman: I confirm the work was done, but there's delay between when I get the invoices and go check. When it is an inside securing they'll typically take a picture and that's sent with the invoice but with our email retention I would no longer have that.

Moermond: we'll delete it. We'll make sure the person who manages the RestPro contract is aware.

Gustaveson: if you need photos of anything. I'm not trying to get anyone fired, but he certainly didn't seem like he was on the job all that long. People learn from mistakes.

Moermond: yes, send that information.

Referred to the City Council due back on 3/25/2026

10 RLH TA 26-40

Ratifying the Appealed Special Tax Assessment for property at 622 PRIOR AVENUE NORTH. (File No. J2606B, Assessment No. 268105)

Sponsors: Coleman

Approve the assessment.

Nathan Arvold, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor James Hoffman: October 7 2025 St. Paul Police Department responded to a call. They requested emergency securing, and they put 2 fasteners on 2 different doors.

Arvold: this has to do with a SWAT raid. They broke those doors down. We have a claim going with the City and they're more or less not responding for paying for damages. We believe if anyone should be paying it should be the person they're looking for with that warrant.

Moermond: the SWAT team would have been from BCA or FBI and the City was assisting in executing their warrant. All the same, we do have this boarding assessment. I think you're right, the person they were looking for does have a moral responsibility in paying for it. The City can only assess to the property, and give you

information you can bring.

Arvold: this is the first I'm hearing about FBI. I've been trying to figure out who is responsible. The City won't respond to us.

Moermond: we will send you what I have. We can also send a claim form. I don't know about responsibility, but I do wish you well in sorting through all of this.

Referred to the City Council due back on 4/15/2026

- 11 RLH TA 26-41** Ratifying the Appealed Special Tax Assessment for property at 1161 SAINT CLAIR AVENUE. (File No. J2608B, Assessment No. 268107)

Sponsors: Noecker

Delete the assessment.

Moermond: welfare check. Recommend deletion.

Referred to the City Council due back on 4/15/2026

- 12 RLH TA 26-37** Ratifying the Appealed Special Tax Assessment for property at 1874 SAINT CLAIR AVENUE. (File No. J2608B, Assessment No. 268107)

Sponsors: Jost

Delete the assessment.

Moermond: welfare check. Fell asleep with radio too loud.

Referred to the City Council due back on 4/15/2026

Special Tax Assessments-ROLLS

- 13 RLH AR 26-9** Ratifying the assessment for Demolition of Vacant, Nuisance and/or Hazardous Structure from the month of December 2025. (File No. J2601C, Assessment No. 262000)

Sponsors: Noecker

Referred to the City Council due back on 4/15/2026

- 14 RLH AR 26-10** Ratifying the assessment for Securing and/or Emergency Boarding of a Structure on Private Property during the month of August 2025. (File No. J2604B, Assessment No. 268103)

Sponsors: Noecker

Referred to the City Council due back on 4/15/2026

- 15 RLH AR 26-11** Ratifying the assessment for Securing and/or Emergency Boarding of a Structure on Private Property during the month of December 2025. (File No. J2608B, Assessment No. 268107)

Sponsors: Noecker

Referred to the City Council due back on 4/15/2026

- 16 **RLH AR 26-12** Ratifying the assessment for Securing and/or Emergency Boarding of a Structure on Private Property during the month of November 2025. (File No. J2607B, Assessment No. 268106)

Sponsors: Noecker

Referred to the City Council due back on 4/15/2026

- 17 **RLH AR 26-13** Ratifying the assessment for Securing and/or Emergency Boarding of a Structure on Private Property during the month of October 2025. (File No. J2606B, Assessment No. 268105)

Sponsors: Noecker

Referred to the City Council due back on 4/15/2026

11:00 a.m. Hearings

Making Finding on Nuisance Abatements

- 18 [RLH SAO 26-15](#) Making finding on the appealed nuisance abatement ordered for 120 FLANDRAU PLACE in Council File RLH SAO 26-5.

Sponsors: Johnson

The nuisance is abated and matter resolved.

Supervisor Martin: the inspector went out and everything is in compliance. Abated.

Referred to the City Council due back on 3/18/2026

- 19 **RLH SAO 26-19** Making finding on the appealed nuisance abatement ordered for 1377 MINNEHAHA AVENUE EAST in Council File RLH SAO 26-9. (Refer to March 10, 2026 Legislative Hearing)

Sponsors: Johnson

Grant to May 1 for compliance with balance of the nuisance abatement order.

Mary Skweres, owner, appeared via phone

Joseph Garrick, son of owner, appeared via phone

Moermond: I understand that we have a Vehicle Abatement Order that has gone out. That had a deadline of April 4. We talked about that in the last hearing. But we still need to set (new) deadlines for everything else.

Garrick: who determines if a car is "un-runable"? If it is covered how can you determine that without lifting up the tarp? Are you just assuming?

Martin: during that last hearing the owner agreed to remove the vehicle and we would send a Vehicle Abatement Order for the vehicle under the tarp. If you want to show the

inspector that the vehicle runs, has current tabs, and is parked on an unapproved surface.

Garrick: so a back driveway that's eroded because of drainage issues in the alley. We do have gravel down, 4" but because all the water washes through you're assuming the driveway isn't ok? All this abatement stuff came to once you hit my vehicle outside my house. I see all this other trash in my neighbor's property. Is this retaliation for hitting my vehicle out front that you're pushing things down my throat.

Moermond: I don't do three hearings on something where I'm attacking. I'm trying to work with you. You weren't in the last hearing. Give a second for your questions to be answered. I can hear you are angry. Tell me where we're at with all the other stuff in the yard, particularly the stuff by the brown garage.

Garrick: we're doing good. It is in good manner. We took four days and two this week moving and organizing thing. Got everything off the property line. We didn't know where it was but now that I know we have everything moved for you guys.

Moermond: for the neighbor too. The thing is that at least 3 feet from the garage is their property and there shouldn't be a parking area further in than that.

Martin: four feet.

Moermond: you're saying it has been addressed?

Garrick: yes ma'am. Not much left. The car is being sold anyway. I was just asking a question on who decides that. I'd like maybe an inspector to come out for me to be sure that everything is good. I apologize if I came off as rude. Our trailer was smashed by the plow truck. We want a clean yard. We have a lot of things that came up at one time and we only have so much money.

Moermond: except for the bricks to be used as pavers. I think giving you to May 1 on cleanup and balance of the materials.

Referred to the City Council due back on 3/25/2026

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 20 RLH VO 26-14** Appeal of Bernetta Miller to a Fire Inspection Correction Notice, which includes condemnation, at 998 SEVENTH STREET EAST.

Sponsors: Yang

Grant to May 1, 2026 for compliance.
Bernetta and Allan Miller, owners, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Keith Demarest: February 23, 2026 our department received a referral on a report of no heat in a unit. This property is a 3 family home owned by Alan and Bernetta Miller. February 24 Inspector Dravis went to the site to do an initial inspection, along with myself. During that inspection we found issues with heat and

water in the building. Unit 2 was uncertified for having no heat and no water. Owner needs to post address numbers on the building including unit numbers on doors. Heat is nonfunctional in units 1 and 2. Needs permits to restore heating. Boiler heating has been down since December. We were later corrected that it was January. Orders issued by inspector Dravis with a reinspection for April 2 at 10:30 am. Last week we received notice of this appeal.

Bernetta Miller: rightfully the correction notice shut down apartment 2. We had given her a 30 day notice to unit in unit 1. No one was in unit 2, but then the pipes froze. Unit 1 had been on a six month lease so without knowing City code I gave her 30-day notice to move so she would vacate the end of February. Then she called the new ordinance says she has 90 days' notice to move since there's no order issued that it was uninhabitable. We'd like to rely on this other section of the code that would necessitate her to move. The inspection report decertified apartment 2 but not apartment 1. She won't move then before the 90 days up. I want the correction notice to condemn apartment 1 also or to add language to item 3 to state including the work necessitates vacating unit 1.

There's a broken pipe in the ceiling above her bedroom. It leaked through her bedroom fixture. That entire ceiling has to be torn down to avoid mold. She has a newborn baby. This can't be good for them. I've talked with the insurance company about getting her into temporary housing. Her rent is paid by Ramsey County and there is an agency handling that. I talked with them and she's having a problem finding other housing partially due to her ESA which is a pitbull. This would be an alternative, but I haven't heard back from insurance. We need her out one way or another.

Demarest: on the day of the inspection several temperature readings were taken in unit 1 and they were all over 68 degrees. That was with the space heater.

Bernetta Miller: yeah, we provided the space heater. I don't know how safe it is, she has a big dog who could knock it over. We can't collect compensation for unit 2 since it was vacant when we filed the claim, so insurance won't pay. If it takes until May to get her out it is a lot of money. We're very concerned about the mold. I have a photo of the ceiling. You can see we had to take out the fixture and cap it. You can see mold, and most likely the insulation is the same way.

Demarest: unit 2 we decertified as it is completely lacking both water and heat. Unit 1 has hot water and the day we took our temperature readings it was above 68 degrees. I didn't have any readings below that to address the heating situation at the time. That's why the corrections are for unit 1.

Moermond: decertification means it needs to be in compliance before reoccupancy. Unit 1 has heat through space heater and a correction order. If they condemned the unit we'd be having a different discussion. It sounds like its more an issue between you and the tenant in my estimation.

Bernetta Miller: is it possible to add that language?

Moermond: no. It isn't the City's responsibility to house a private tenant who has a private contract with you. Seek legal counsel. Find a way to deal with her. Whether that's eviction or something else. You should get private advice, I can't give that. If they made the determination in the field that it doesn't require it be vacate, then the problem becomes of getting it corrected.

Bernetta Miller: she wanted over \$8,000 to move even though she says it isn't safe but won't move.

Moermond: it may be up to your lease provisions.

Bernetta Miller: what about the mold?

Demarest: we don't do mold testing. Classically, if we saw mold we could call it out as mold or mildew growth but we would refer it to the Ramsey County Department of Health to make a confirmation.

Moermond: typically, you would put her in alternate housing.

Allan Miller: so if it didn't have a boiler or forced air, say it was a building you were building. It wouldn't pass inspection for occupancy. That's what we have here. We have a building we can't provide heat for 2 units and just because we put in some temporary heat to help her. There's going to be a lot more mold than is already showing. That can't be good for either her or the baby, yet that will pass inspection for someone to live there? Just because we put temporary heat in?

Bernetta Miller: what we don't understand is that this only passed because of the temporary space heaters. If it can't pass a Certificate of Occupancy inspection now why is she allowed to remain?

Moermond: it happens that heat fails. You're being given a chance to fix it. You have issues with taking care of that, I get it. The City found it could remain occupied and there was sufficient heat and put out orders to fix it. You're in that process. No, they're not signing off on your Certificate of Occupancy with no heat. They said fix it. You dealing with the tenant is just that, YOU dealing with the tenant. Not the City condemning it at this point. I would strongly suggest you seek legal counsel on it. It sounds like it may be cheaper than what she's asking for. I can't write new orders for you. I can only look at what is in front of me. If this person needs to move out, whether that's temporary or permanent, that's on you to fix it so proper heat can be restored.

Bernetta Miller: we can't fix it.

Allan Miller: there's no point in having an inspection if you can't fix it.

Bernetta Miller: the point he's trying to make is each reinspection costs us money. We obviously cannot fix this unit until possibly the middle of May at the earliest. She has threatened to stay longer.

Moermond: have you consulted an attorney?

Bernetta Miller: I am an attorney. This isn't my area of expertise, obviously.

Moermond: maybe you should talk to someone whose area of expertise this is. This is something that can be dealt with through the court system. It isn't something I can do here.

Bernetta Miller: it appears if she doesn't move by April 30th I can file an eviction action.

Moermond: does her month to month take her to the end of April?

Bernetta Miller: no, it's the 90 days the City—

Moermond: have you given notice you're evicting?

Bernetta Miller: no, I gave her notice she needs to move per her lease. I'm going to issue another notice she needs to move immediately due to this but I doubt she will. She's going to rely on the fact that under this 90 day thing—the one code says there's no time limit so we can immediately order her to vacate, but the problem is the inspection notice doesn't have the language that it requires her to vacate.

Moermond: it doesn't, and it doesn't prescribe how you would go about fixing the situation nor saying the apartment needs to be vacated to do that. It simply says it needs to be done. That's all the City is going to say.

Bernetta Miller: so we will have to wait until April 30th as far as the reinspection is concerned. The earliest we can get her to move out is April 30th. Then the work needs to be done. And that's IF she moves out by then.

Moermond: and you're using not renewing the lease as a way to do that and there may be other ways to deal with it.

Bernetta Miller: that's if my insurance company pays for temporary housing.

Moermond: or maybe you personally, as the owner, have a responsibility there and not your insurance company. Or, deal with it now and file a claim later. This is kind of on you. It is your time and your money. I can't say how this should be fixed.

Bernetta Miller: what I'm trying to do is fix the fire inspection reinspection because each reinspection costs us money and the earliest we can get done is May 14th.

Allan Miller: we don't know that because of the contractor.

Bernetta Miller: yeah, that is the very earliest we can even think about getting this work done. We at least need to get the reinspection date fixed.

Moermond: Mr. Demarest, there are 5 weeks between the orders and reinspection. If it isn't pushed out you'd take additional enforcement action?

Demarest: yes, we'd reinspect and issue a new set of orders at that point and recycle the orders for another period of time.

Moermond: if the tenant is gone? Would you decertify like Unit 2?

Demarest: a possibility, yes.

Moermond: why did it take so long to get an inspector in during a no-heat situation?

Demarest: we were in there the day after. February 23rd.

Bernetta Miller: I called and reported it because I hoped he would make a finding she needed to move out. We had assumed, not knowing the ins and outs of the new code, that she would just comply and move out the end of February in accordance with our notice. Then she let us know she had looked into things and there's the code with 90

day notice.

Allan Miller: I don't have a problem with fixing the heat and the water for either apartment. We have to come up with a solution that we can get the tenant out. That's up in the air. Inspector Dravis is a pretty good guy. I would just assume if they could, after however long the work will take, then we can call Inspector Dravis and say we're ready for an inspection. Then I'll feel good about getting a tenant in and they will have done what they needed too. Putting a date on something with so many things up in the air seems counterproductive. This is all new to us.

Bernetta Miller: we have owned this building since the 1970's so this is discouraging that the City would pass an ordinance like that. I know the citizens voted on that and with 51% renters in the City it is no wonder that it passed. But that they would make it impossible for us by putting in this 90 day notice for us to comply with orders.

Moermond: have you read the ordinance? And the effective date?

Bernetta Miller: the original thing she was relying on was that she could get \$4,400 relocation money came from the original ordinance that was repealed and then when it was re-codified as this new section 8 type thing, not all those provisions carried over into the new code.

Moermond: the effective date may be worth looking at.

Bernetta Miller: I did.

Moermond: so you know it is in May?

Bernetta Miller: I'm sorry, what?

Moermond: effective date is a month after passage or date referenced in the ordinance.

Bernetta Miller: the new ordinance has taken affect, okay? So we're working under this new ordinance that doesn't require relocation but it does require 90 days notice unless we have an order to correct.

Moermond: which you do have.

Bernetta Miller: what I don't have is any language I can show her that it is necessary to vacate to fix it. That's where the problem comes in. That's why I asked the language be amended in this order.

Moermond: the City is not in the business of prescribing the way the work needs to be done. If you're choosing to do it this way, that's for you to figure out.

Bernetta Miller: that's the only way to comply.

Moermond: then that would be how you pursue that.

[Long discussion between Moermond and Bernetta Miller re: code and subsections and dates]

Moermond: I think you're thinking of an ordinance that's under consideration by the

Council now. Ord 26-18, amending chapter 193.04. Temporarily extending pre-eviction notice period from 30 to 60 days. That hasn't been adopted yet.

[even more discussion of ordinance]

Moermond: let's go to May 1. Check in on the situation then. Let's get that reinspection.

Bernetta Miller: it costs us money. I don't think we'll be able to get it done by then.

Moermond: it is a heat concern so it is higher level. Give a read to it. Court CAN get her out for this type of work to be done. It can be done, I just can't do it and neither can they.

Referred to the City Council due back on 3/25/2026

21 [RLH VO 26-15](#)

Appeal of Elizabeth Sibet, Sibet Renovations, LLC, to a Notice of Condemnation and Order to Vacate at 227 FULLER AVENUE. (Continued Public Hearing to March 25, 2026; Legislative Hearing on March 24, 2026)

Sponsors: Bowie

Layover to LH March 17th, 2026 at 1:30 pm. Rescheduled per PO's request. (CPH 3/18)

Moermond: the property owner requested this to be rescheduled because she had a flat tire and her mother has a health emergency. I laid it over one week to Legislative Hearing Tuesday, and Council Public Hearing Wednesday. We told her she could remove the boards from the windows and doors as long as they're secure. It may not be occupied unless a Certificate of Occupancy is issued.

Referred to the City Council due back on 3/18/2026

2:00 p.m. Hearings

Fire Certificates of Occupancy

22 [RLH FCO 26-19](#)

Appeal of Chris Schwartz, to a Correction Notice-1st Notice at 1112 KINGSFORD STREET.

Sponsors: Yang

Layover to LH March 17, 2026 at 2 pm for further discussion.

Chris Schwartz, occupant, appeared

Moermond: when we spoke last you were in the process of putting this into an estate or trust but there's past due taxes and you were going to get some paperwork to us.

Schwartz: these taxes are fees and fines from you guys, mostly. I've been fined every month the last year. This is absolute harassment for two and a half years now.

Moermond: there's about \$15,000 in taxes. What kind of plan do you have in getting

this into your name or a trust where you are the Responsible Party. We were looking for paperwork, we didn't receive anything.

Schwartz: two weeks time is ridiculous.

Moermond: have you talked to anyone?

Schwartz: I don't have any of this paperwork at this moment. We're in the process, I told you.

Moermond: what does "in process" mean? I'm looking for concrete action. Working on it is something that could last for years.

Schwartz: I don't know what to tell you. I contacted a lawyer. He's supposed to be doing the paperwork.

Moermond: what's the lawyer's name?

Schwartz: my brother is handling that. He lives here with his son, along with me.

Moermond: if he lives there then it should be easy to connect with him about the lawyer, yes?

Schwartz: when he's not at work.

Moermond: I'm trying to figure out how we move forward on this. If you ARE moving forward on this. I'm not seeing any steps taken. I'm flexible on what that looks like, but you have to be in this.

Schwartz: [silence]

Moermond: you talk with your brother. Let's get an attorney name or even someone on the line next week. Get something nailed down better. Same time next week. Maybe have your brother or attorney on the line.

Laid Over to the Legislative Hearings due back on 3/17/2026