



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

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651-266-8585

Tuesday, September 16, 2014

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders (NONE)

- 1 [RLH RR 14-15](#) Ordering the razing and removal of the structures at 1164 MINNEHAHA AVENUE WEST within fifteen (15) days after the August 20, 2014, City Council Public Hearing. (Public hearing continued from August 20 and September 17) (To be referred back to Legislative Hearing on November 25, 2014 and City Council Public Hearing on December 3, 2014)

Sponsors: Stark

To be referred back to LH on Nov. 25, 2014 and CPH on Dec.3, 2014.

RE: 1164 Minnehaha Avenue West (Single Family)

Duane Erlie, Highpointe Realty, appeared on behalf of Freddie Mac

Inspector Steve Magner:

- Layover
- read letter dated Aug 13, 2014 (attached) which listed conditions to be met
- City Council on Aug 20 referred it back to LH for today

Mr. Erlie:

- got the Code Compliance Inspection Report with 90 action items right before Labor Day
- a lot has to do with the previous owner doing work without permits/inspections
- 2 of Freddie Mac contractors have put in bids; one has to be re-evaluated
- bids: 1) around \$45,000; and 2) \$39,000
- Freddie Mac decided to rehab the house
- once they review the bids and decide who will rehab, the \$5,000 Performance Deposit will be posted
- we continue to maintain the property and check the house weekly
- we're moving along but this takes time
- we might go back to the bank that wrote the original mortgage to get them to cough up some money
- hoping Freddie Mac will have made some decisions by the end of the week; needs to go to management committee, too
- the process is not fast but it does move

Mr. Magner:

- the last permit on record was a repair permit for drain tile
- there have been repairs done on the house without permits; the city will need to verify that work that looks new

Mr. Erlie:

- most of that work was done in the kitchen - some new electrical work
- rest of the house used existing wiring
- haven't run plumbing into the kitchen yet
- fixtures may need to be moved
- it's their intent to have the house all buttoned up with all exterior work done before it gets too cold

Ms. Moermond:

- we don't have a Work Plan/Construction Statement
- have no Performance Deposit

Mr. Magner:

- conditions #1, #2 and #4 from Ms. Vang's Aug 13 letter are taken care of
- conditions #3-Performance Deposit; #5-Work Plan; #6-letter of commitment from the bank are still lacking
- based on testimony here today, it sounds that Mr. Erlie is fairly close to getting those and probably won't be ready for another month
- option - to ask City Council to lay this over for 2 weeks or so

Ms. Moermond:

- thinks that Mr. Erlie needs a month to get things together
- taking this to Council now show that he doesn't have much skin in the game yet

Mr. Erlie:

- talked with Reid Soley, DSI, and he said that the policy has changed in regards to houses that are either HUD, Freddie or Fannie owned in the city as far as the city's classification 3 because HUD sued the city about tearing their houses down; don't know if that effects the Council's view of things; their intent is to rehab the house
- wishes he could hurry things along but he deals with committees

Ms. Moermond:

- she, too, doesn't want to knock it down
- will recommend the Council LAY this OVER to Oct 14, 2014 LH; and back to City Council Oct 15, 2014

Referred to the City Council due back on 9/17/2014

11:00 a.m. Hearings

Summary Abatement Orders

- 2 [RLH SAO 14-35](#) Appeal of Kathleen Arnot and Leslie Helmes to a Summary Abatement Order at 862 TUSCARORA AVENUE.

Sponsors: Thune

Per Inspector Seeley, issue has been resolved. Appeal withdrawn.

Withdrawn

- 3 [RLH SAO 14-34](#) Appeal of Cy Thao to a Summary Abatement Order at 338 AURORA AVENUE.

Sponsors: Thao

Appeal withdrawn. Owner in compliance.

Withdrawn

Correction Orders

- 4 [RLH CO 14-11](#) Appeal of Yer Moua to a Correction Notice at 693 CASE AVENUE.

Sponsors: Bostrom

Yer Moua, owner, appeared.

Inspector Paula Seeley:

- *complaint came in Aug 28, 2014 re: concrete rubble and deteriorated retaining wall*
- *she went out Aug 28 and sent Orders to remove concrete rubble and replace retaining wall*
- *spoke with Steve Ubl, who stands firm on whose ever soil the wall is holding back, it's their wall*
- *she, Ms. Moua and Ms. Moermond viewed the survey and photos*

Ms. Moua:

- *she is the higher elevation property*
- *bought house in 1994 and put up a black fence*
- *the white fence is the neighbor's and it sits on the old retaining wall*
- *neighbor Shao Yang lives at 689 Case*
- *the previous owner told her that the retaining wall and fence on top would cause trouble for her and suggested that she put up her own fence, so she did*
- *when she and the neighbor were agreeing on fixing this, both tore down the fence and at the same time, he dug out the dirt from her side and threw it everywhere*
- *neighbor took out the old retaining wall; neighbor wanted a higher wall put up but she said that they could not do that; it's too high*
- *neighbor put the concrete in her back yard*
- *she wants to make the wall stronger with interlocking retaining wall blocks; the right way*
- *neighbor is angry with her and yelled at her*
- *she said not to put the concrete in her yard but he wants to do things his own way*
- *she went to DSI who suggested that she have her property line surveyed*
- *she comes here for help; if the wall belongs to her so that she can do it; if it belongs to him, then he needs to do it and he needs to move the concrete from her back yard*

Ms. Moermond:

- *all she has to do is put a retaining wall underneath the driveway; the soil needs to be replaced*
- *legally, all she has to do is fill in the lower part with interlocking bricks*
- *she has 2 feet on the other side that should be enough room for her to store interlocking bricks*

Ms. Seeley:

- *was concerned if the neighbor would be nice enough for her to put it in*
- *she can talk with the neighbor*

Ms. Moermond:

- make sure that you put in a footing for fence posts to come out of the driveway area is you want to put up a fence
- she might have to get a permit to build the retaining wall higher is she is worried about kids falling off

Fire Inspector Leanna Shaff:

- the retaining wall including the footings (need footings when they get higher) - anything higher than 4 feet will need a permit
- if she were doing this, she would look for an engineer's solution so that you don't have run-off issues
- Ms. Moua doesn't have to put up a fence if she doesn't want one; neighbor can put one up if he wants it
- would definitely talk to someone who could engineer this in order to do it right

Ms. Moermond:

- Order says: remove concrete rubble and replace retaining wall

Ms. Moua:

- she told neighbor not to put everything in her back yard; he yelled at her and told her, "You don't say anything to me; you need to close your mouth because you are lady- you don't have the right to say anything to me."
- so she decided to go to the City of St. Paul

Ms. Moermond:

- you have only a limited amount of time to remove that pile of rubble on your property; and you really need to replace the retaining wall even though he's the one who damaged it; it's his fault that it isn't holding back the soil - that's going to be a private matter between you and him; a lot of people will go to an attorney and ask for a letter to be written which would allow this to be fixed and perhaps, even ask for the cost of putting in the retaining wall because he removed the old one; however, that is not something she can deal with; she needs private legal advice
- will LAY THIS OVER for 1 month
- the wall is on your property, you need to replace it
- deadline: Dec 1, 2014 (might have frost problems then so, do it earlier)
- you need to solve this with your neighbor
- advised her to get an attorney to help solve this
- Grant until December 1, 2014 to remove the concrete rubble and replace the retaining wall.

Referred to the City Council due back on 10/1/2014

5 RLH CO 14-10

Appeal of Endriash Hawaz, Ethiopian Evangelical Church, to a Correction Notice at 770 SEVENTH STREET EAST.

Sponsors: Lantry

Estifanes Alenny, Ethiopian Evangelical Church, appeared on behalf of Endriash Hawaz

Inspector Paula Seeley:

- complaint came in Jun 17, 2014 about water being discharged onto the public sidewalk
- Order sent to Ethiopian Evangelical Church, 770 Seventh St E
- appeal was filed
- photos

- there must be drain tile in the middle of these 2 buildings that drains onto the public sidewalk
- Chap 45: no substance of any kind can be discharged onto a public right-of-way
- she spoke with Al Czaia, Public Works Sidewalk Division, who said that the Appellant will need to contact Terry Vasquez and apply for an encroachment permit, which would need to be approved by Public Works; then, take up sidewalk piece and put pipe underneath sidewalk (the only option available for this, according to Mr. Czaia) or redirect discharge into gravel

Mr. Alenny:

- water discharge comes from both buildings; wonders why the city has issued Orders to only them to fix it; aren't both buildings supposed to share the cost?

Ms. Moermond:

- that depends on where the boundary is
- good question - needs to be sorted out

Mr. Alenny:

- if they will be required to fix it, they will need a contractor to come out and need extra time for all that
- we share that area
- we put in the drain tile

Ms. Seeley:

- we would issue Orders to re-direct the downspout

Ms. Moermond:

- where's the boundary?
- who's responsible for which part?
- who has to pay for it?
- the first thing is that we need to know where the boundary is; so, the church will need to hire a surveyor to determine the official property line; based on that information, a plan can be developed to solve this problem
- wants to see this issue addressed by Dec 1, 2014
- additional Orders may need to be written to correct this problem (adjacent property)
- can apply for an Encroachment Permit to run pipe underneath the sidewalk (PW engineer)
- this is a recommendation; if things change, let us know; or come to the City Council Public Hearing Oct 15, 2015, which should give you plenty of time to talk with your neighbor and find out more details
- will send you a letter
- will grant until December 1, 2014 for compliance

Referred to the City Council due back on 10/15/2014

6 [RLH SAO 14-36](#) Appeal of Elizabeth Onsted to a Vehicle Abatement Order at 708 SIMON AVENUE.

Sponsors: Brendmoen

Elizabeth Onsted, owner, appeared.

Inspector Paula Seeley:

- Vehicle Abatement Order
- Inspector Ed Smith issued the Order on a Blue Ford, unsecured, open to entry, missing vital parts with rear end damage on Sep 3, 2014
- Ms. Onsted says that it is operable; photo shows damage

Ms. Onsted:

- *Mr. Smith cited me in Jul saying all that it needed was a license plate with a covering; she replaced the license plate; the tire were bad*
- *her son can't drive it; he doesn't have a license right now*
- *the car is on a slab; she carries insurance on it*
- *she got this letter saying that it has to be moved because it's not on a legal slab*
- *she told him that it's on an old slab where a garage used to be*
- *son bought 4 tires, which were setting outside the garage door*

Ms. Moermond:

- *the Order says that the car has to removed or fixed for the following reasons: 1) open to entry or unsecured; 2) missing vital parts or dismantled; and 3) appears undrivable and inoperative (does not say anything about the parking surface or whether or not it has tabs)*
- *what's the plan?*

Ms. Onsted:

- *she can't sell the car until she gets the title replaced*
- *she called Mr. Smith and said that her son had just bought tires and he was going to put them on the car; she didn't know anyone was coming back to the property and when Mon came, they came back and took the tires*
- *also, she is filing a grievance because the new tires were taken; now, her son is out \$200 and needs to save up more money so he can buy tires again*
- *the city sent both letters in one envelope (Vehicle Abatement and Vacate the house); she did not get the envelope until she got there in the evening on Fri - so, she could not do anything about it; she saw the Notice to Vacate on the front door*

Ms. Onsted:

- *she did not get this Notice; the person at the desk pulled it out when she came down to file the appeal*
- *the car is drivable; tires are flat; that's why he got new tires that were stacked hear the garage; he could not replace them immediately because he did not have a jack to do it*

Ms. Moermond:

- *when will the car be fixed?*

Ms. Onsted:

- *son has to save up money to buy tires before he can replace them; so, she doesn't know when*
- *the new tires hadn't been bought until Aug 28, 2014*

Ms. Moermond:

- *if the city removes the car, it will cost a lot of money; if you remove it, it will cost less*
- *the car needs to be gone or fixed in 2 weeks (garage, warehouse, sold, etc.)*

Ms. Onsted:

- *if she wants to scrap it or donate it, she will need the title*
- *she can't put it into the garage because it's full of other things*

Ms. Moermond:

- *will grant until September 30, 2014 to come into compliance with the vehicle or get rid of it.*

Referred to the City Council due back on 10/1/2014

11:30 a.m. Hearings**Orders To Vacate, Condemnations and Revocations**

- 7 [RLH VO 14-48](#) Appeal of Elizabeth Onsted to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 708 SIMON AVENUE.

Sponsors: Brendmoen

Elizabeth Onsted, owner, appeared.

Ms. Seeley:

- *Condemnation / Order to Vacate*
- *Summary Abatement issued Jul 27, 2014 - remove rubbish, TV set, broken bike, household items, recycling materials, animal feces, etc.*
- *Inspector Smith and Police Officer Chuck Graupman went out to inspect*
- *Mr. Smith Condemned it for defective windows, doors, screens, feces in the house (overwhelming odor), no smoke detector, defective handrails, water damage on ceiling, clutter on front porch, basement has clutter near the water heater; garage is also Condemned*

Ms. Onsted:

- *her son was not back at home for a while and that's why a lot of things haven't gotten done; her kids won't let her do anything with a ladder*
- *she has 2 dogs; 3 cats of her own and 3 strays that stay outside; she and her neighbors are going to try to get rid of the outdoor cats*

Ms. Moermond:

- *the city allows you to have a total of 3 pets*
- *the worst of things here seems to be the unsanitary conditions with a list of other things*

Ms. Seeley:

- *inspector notes: due to the animals in the house, the smell is overwhelming; so, sanitation, cleaning, clutter near the furnace, water heater in basement, smoke detector; basement clutter is more important to get rid of than clutter on the porch*

Ms. Onsted:

- *just she lives at the house right now*
- *she has already moved the clutter in the basement*
- *she installed the smoke detector and CO alarm*
- *she moved the items that were near the water heater*
- *all of the ceilings have been scraped from the water damage*
- *she has removed the couch, chairs, carpets, rugs; she still has her bedroom furniture, a dining room set and a kitchen set*
- *tried to get rid of the odors*
- *bleached the basement floor*
- *she can do a lot of the items with the little bit of money she has but she has not been working at her job due to medical reasons*
- *the windows are her biggest problem; she doesn't know how she can afford to get them repaired*
- *she still has a mortgage*

Ms. Moermond:

- the animal feces and urine needs to be addressed to the satisfaction of an inspector by Tue Sep 23, 2014
- if you can accomplish that then we'll talk about more time to do the other things on the list
- if you can't accomplish that, you will need to vacate the house by Sep 26, 2014

Ms. Onsted:

- she has tried to get a loan but doesn't qualify
- she is in treatment on Tue Sep 23 and won't be able to be at the house

Ms. Moermond:

- inspection will take place on Mon Sep 22, then
- will grant until Nov 1, 2014 to do the rest of the things on the list
- the inspector will let Ms. Moermond know what is going on; if there are changes, she will call you
- will grant until September 22, 2014 to address the animal feces and odor from the house or the building must be vacated by September 26, 2014. If the compliance satisfies the inspector, the hearing officer will grant until November 1, 2014 for the remaining items.

Referred to the City Council due back on 10/1/2014

8 RLH VO 14-46

Appeal of Paw Eh Shee to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 397 CASE AVENUE.

Sponsors: Brendmoen

*Paw Eh Shee, Occupant Appellant
 Douangta Vang-Sitcler, Public Health Nurse Case Worker
 Kanyarat Ritnorakan, friend
 Sandaw Aya, Karen interpreter
 Bee Vue, Owner Appellant and his wife, Lamena*

Fire Inspector Leanna Shaff:

- Revocation of Fire Certificate of Occupancy and Order to Vacate
- this case was before us last Nov 5 where Ms. Moermond recommended denying the appeal and granting an extension
- since then, Mr. Vue did get the Fire C of O back - approved with Corrections on the exterior; letter attached to file with a Jun 15, 2014 agreement date
- she went out to re-inspect until Jul 1, 2014 when she found the work not completed as evidenced in the photos
- for the flow of water, there was a sandbag mortared into the mortar
- she gave Mr. Vue until Aug 1, 2014 to complete the work of have bldg vacated
- on Aug 1, 2014, the work was not complete and she referred it to the Vacant Building Program
- in the meantime, Mr. Vue spoke with the division manager, Phil Owens, who decided that both he and Ms. Shaff would make a site visit to determine if the Revocation was appropriate
- they inspected on Aug 7, 2014 when Mr. Owens extended the Vacate or Comply date to Sep 4, 2014
- Sep 4, 2014, she went out, met Mr. Vue and his wife, took photos to be reviewed with Mr. Owens
- Mr. Owens agreed that the work was still not complete (sandbags holding up part of the hill and the flow of water still not corrected)
- Mr. Owens decided that the Revocation should be enforced with Vacate date of Mon Sep 8, 2014
- Fri Sep 5, 2014, she went to property, posted the property and tried to get some

understanding with the tenants; she gave them a copy of the letter in an envelope that said "Occupant"

- later that day, the public health nurse saw the postings and called her to find out what was going on

- since then, Ms. Vang-Sitcler helped her clients appeal the Revocation on Sep 5; Mr. Vue appealed Sep 8

- Ms. Vang-Sitcler brought up some important things about the condition of the property that she was not aware of (Ms. Shaff was inside the property in Jan 2014)

- Ms. Vang-Sitcler said that during this past winter (tenants moved in Feb) the heat went out except for 1 room; then, it got warm and they didn't need the heat any more; the room was leaking into the electrical system and they didn't have electricity for a while; she has no knowledge of permits being pulled

- there had been roof issues in the last C of O; she has a letter from Mr. Vue on how he repaired it

Ms. Vang-Sitcler:

- verified that information

Ms. Moermond:

- clarified that this is not a Condemnation for public health and safety; it's a Revocation, more of an administrative nature than a police nature, based on long-term noncompliance (the last enforcement tool); an important distinction because Ms. Vang-Sitcler found concerns that were life safety concerns that had not been reported to the inspector so we don't have specific Orders around those issues

- noted that enforcement is stayed during appeal

- after the appeal is resolved, Ms. Shaff will go back and inspect

Mr. Vue:

- pointed out that he had no knowledge of some things brought up today: tenant said that roof was leaking into the electrical panel and they had no power; he remembers that one time when they called him, one of the breakers tripped so he went to untrip the breaker; he has not knowledge of any leaking into the electrical panel or into a unit; secondly, there is 1 furnace in the unit, so if there is heat in one room, the furnace has to be running

Ms. Moermond:

- she has no Order connected to those things; they have not been substantiated by the inspector

Mr. Vue:

- did agree to finish by that date; what happened was that he put it into his schedule, however, it was moved into a different month; he did not realize it

- when he got the 2nd Notice from Ms. Shaff, he paid attention to it right away and did what he thought Ms. SHaff had wanted him to do; he remedied the water flow and everything else that was on the list

- he was having a problem with the parking lot, so he went down to DSI to apply for a site plan; they said, there was already an existing parking lot there, so they we're not going to be able to allow you to put anything on there; he had already had a contractor out there and dug out the area that he was going to use, so, he decided to have a discussion with Ms. Shaff about a solution since she was going to be coming out anyway; she came out and immediately Condemned the unit and placarded the building; and within 1 hour, have the VB people come out and asked the tenants to move out; he then called Phil Owens and told him what was happening; Mr. Owens decided to hold off on the Revocation; he asked if Mr. Owens and Ms. Shaff could meet him at the property; he told Mr. Owens that the parking lot issue was the main thing that Ms. Shaff had Revoked the C of O on; he decided that he would cut out the

existing lot and put in a new one on a different area and the site plan was approved

- he has done everything that he can from what he understands from the Orders; now, he wanted Mr. Owens and Ms. Shaff to be more detailed and specific
- Mr. Owens said that he and Ms. Shaff would go out and that Mr. Vue should not be there at that time; they would get back to him
- in Aug, he had asked Ms. Shaff what else needed to be done and she would not tell him, specifically
- when he got the letter, he tried to figure out exactly what they wanted him to do; they did what they thought they should do
- Ms. Shaff was never forthright about or specific about what the real issue was or specific problem was
- every time Ms. Shaff came out, he had people there when he would ask her specific questions and ask her to tell him if she could see anything else that he hadn't done; he asked that over and over again and Ms. Shaff would say, "I will get back to you."
- he has been in the construction business for 15-20 years and he figures that he knows what is going on but never seems to satisfy Ms. Shaff
- he had been working on a window; took photos of it and the Orders and went to the permit dept to see if they could tell him if he had done it right or what else he should do; they said, "What you did was what we would have recommended." There was nothing else they could tell him (they are the professionals)
- he has a private home inspector, who doesn't find anything wrong with what he has done or anything else he needs to do

Ms. Moermond:

- a private home inspector doesn't have responsibilities for enforcing the code; he also, is a building inspector, not a certified building inspector under the state
- Ms. Shaff is also a certified building inspector; 30-40 people in DSI are and have equivalent credentials
- reviewed the private home inspector's letter
- said that she considers Mr. Hedquist's opinion advisory only

Mr. Vue:

- asked if he could suggest something that might be able to resolve this problem: he would like to have the city building inspectors come out; he would like the Fire inspectors to specify exactly what they want to be done; have them both come out and inspect and see what they think; is the work sufficient or is more needed, and if more is needed, what; he doesn't know what else he can do; he needs someone to come out and explain; he is willing to spend the money to repair properly; it's important for him to get this done; he would not just leave it if he would know exactly what to do
- the Fire Dept is saying that the work isn't done; and he is saying that he doesn't know what else he can do; he needs to have someone else come out and make that decision
- his contractors don't understand the Orders; they say, that from what they see, everything is done

Ms. Moermond:

- is gathering from Mr. Vue that he doesn't want to have the place vacated; and he wants additional time to rectify the problems, even though he doesn't know what they are

Ms. Vang-Sitcler:

- her role is to serve her clients; to make sure that they have their primary needs met
- she doesn't want to make them homeless
- she has to believe what they tell her

Ms. Shee:

- doesn't see any problems; when she needs help, she calls the landlord and he takes care of things

Ms. Ritnorakan:

*- when she saw the letter on the door, she wanted to know what the problem was
- she works with the community and helps them (people from Burma and Thailand)
- this family has quite a few members and we had trouble finding housing for them; at last, they found this place; she helps finding housing for this community; it would be very difficult trying to find another place for this family (large enough for a reasonable price); this has worked out; they have good communication with this landlord
- she does speak English; is an associate pastor from the church and is a leader in this community
- this place is perfect for this family; there is nothing wrong; would like for this family to stay there*

Ms. Moermond:

*- last Nov, Mr. Vue appealed Vacate Orders on this same property and the appeal was denied
- DSI, under it's own will, granted extensions into Jun 2014, etc; they don't need to negotiate the extension with you; simply put a time certain on it; they did that and gave Mr. Vue the Certificate of Occupancy (a clean slate to get things taken care of)
- concerns that were listed nearly 1 year ago continued to show up on the list; so, she is a little dismayed that he is coming forth now saying that he doesn't understand what he's supposed to do
- at the same time, this family wants to stay living there and she doesn't have a public health and safety concern jumping out at her; so, she would like to get an inspector back into the house and do a regular Certificate of Occupancy inspection (so far, it's just been follow up)
- she can ask but not guarantee that a building inspector be available for that inspection; however, she does have to rely on the city's available credentials
- hears that Mr. Vue wants more direction, specificity and she will do her best*

Mr. Vue:

- asked if he could request a different inspector because no matter what he does, Ms. Shaff will not approve him

Ms. Shaff:

- says that it was not her decision; it was above her - Mr. Owens, her boss, made the decision; he told her exactly what he wanted in those Orders and they were reviewed by Mr. Owens; she went back on Sep 4 and told Mr. Vue and his wife that he would review the pictures with Mr. Owens; that she could not make any decisions

Mr. Vue:

*- the professional contractors that he hired don't understand the Orders - don't understand what to do
- he asked Ms. Shaff specifically, "Is there anything else that I haven't done?" and she doesn't tell him anything at all; then, she comes back and Revokes it
- as of this date, he doesn't know what else there is to do; the professional inspector doesn't know; his contractor doesn't know
- he just wants to know what he should do; they need to work together - cooperate*

Lamena, Mr. Vue's wife:

- wishes to make it clear because maybe her husband is not clear enough; every time he went to meet with the inspector to get clarification, he asks her and she doesn't tell him; she is not specific; so, he doesn't know which way to go; doesn't know what to

do; they want safe housing for their tenants; the inspector says, "You will hear from me" but she doesn't do it
- just asking for clarity

Ms. Shee:

- at the moment, they don't have anywhere to go; if we can't live here, somebody has to help them where they can live

Ms. Vang-Sitcler:

- there clients are very happy to live there

Ms. Moermond:

- will LAY THIS OVER to Sep 30, 2014
- in the interim, we will get inspectors inside the house to do a fresh inspection; she will try to also get a building inspector to be there

Ms. Shaff:

- their building engineer, Brian Karpen, has been in this house with her before on a few occasions

Ms. Moermond:

- will have a building inspector go out with Inspector Shaff

Mr. Vue:

- requested a different Fire Inspector, if possible

Ms. Moermond:

- that's an internal decision from Fire
- the occupants will not be vacated, at least until Nov 1, 2014, if it is even necessary
- will be LAID OVER to Sep 30, 2014 to get additional findings from the upcoming inspection.

Laid Over to the Legislative Hearings due back on 9/30/2014

9 RLH VO 14-44 Appeal of Bee Vue to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 397 CASE AVENUE.

Sponsors: Brendmoen

Bee Vue, Owner Appellant and his wife, Lamena
Paw Eh Shee, Occupant Appellant
Douangta Vang-Sitcler, Public Health Nurse Case Worker
Kanyarat Ritnorakan, friend
Sandaw Aya, Karen interpreter

Fire Inspector Leanna Shaff:

- Revocation of Fire Certificate of Occupancy and Order to Vacate
- this case was before us last Nov 5 where Ms. Moermond recommended denying the appeal and granting an extension
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- for the flow of water, there was a sandbag mortared into the mortar
- she gave Mr. Vue until Aug 1, 2014 to complete the work of have bldg vacated
- on Aug 1, 2014, the work was not complete and she referred it to the Vacant Building Program

- in the meantime, Mr. Vue spoke with the division manager, Phil Owens, who decided that both he and Ms. Shaff would make a site visit to determine if the Revocation was appropriate
- they inspected on Aug 7, 2014 when Mr. Owens extended the Vacate or Comply date to Sep 4, 2014
- Sep 4, 2014, she went out, met Mr. Vue and his wife, took photos to be reviewed with Mr. Owens
- Mr. Owens agreed that the work was still not complete (sandbags holding up part of the hill and the flow of water still not corrected)
- Mr. Owens decided that the Revocation should be enforced with Vacate date of Mon Sep 8, 2014
- Fri Sep 5, 2014, she went to property, posted the property and tried to get some understanding with the tenants; she gave them a copy of the letter in an envelope that said "Occupant"
- later that day, the public health nurse saw the postings and called her to find out what was going on
- since then, Ms. Vang-Sitcler helped her clients appeal the Revocation on Sep 5; Mr. Vue appealed Sep 8
- Ms. Vang-Sitcler brought up some important things about the condition of the property that she was not aware of (Ms. Shaff was inside the property in Jan 2014)
- Ms. Vang-Sitcler said that during this past winter (tenants moved in Feb) the heat went out except for 1 room; then, it got warm and they didn't need the heat any more; the room was leaking into the electrical system and they didn't have electricity for a while; she has no knowledge of permits being pulled
- there had been roof issues in the last C of O; she has a letter from Mr. Vue on how he repaired it

Ms. Vang-Sitcler:

- verified that information

Ms. Moermond:

- clarified that this is not a Condemnation for public health and safety; it's a Revocation, more of an administrative nature than a police nature, based on long-term noncompliance (the last enforcement tool); an important distinction because Ms. Vang-Sitcler found concerns that were life safety concerns that had not been reported to the inspector so we don't have specific Orders around those issues
- noted that enforcement is stayed during appeal
- after the appeal is resolved, Ms. Shaff will go back and inspect

Mr. Vue:

- pointed out that he had no knowledge of some things brought up today: tenant said that roof was leaking into the electrical panel and they had no power; he remembers that one time when they called him, one of the breakers tripped so he went to untrip the breaker; he has not knowledge of any leaking into the electrical panel or into a unit; secondly, there is 1 furnace in the unit, so if there is heat in one room, the furnace has to be running

Ms. Moermond:

- she has no Order connected to those things; they have not been substantiated by the inspector

Mr. Vue:

- did agree to finish by that date; what happened was that he put it into his schedule, however, it was moved into a different month; he did not realize it
- when he got the 2nd Notice from Ms. Shaff, he paid attention to it right away and did what he thought Ms. SHaff had wanted him to do; he remedied the water flow and

everything else that was on the list

- he was having a problem with the parking lot, so he went down to DSI to apply for a site plan; they said, there was already an existing parking lot there, so they we're not going to be able to allow you to put anything on there; he had already had a contractor out there and dug out the area that he was going to use, so, he decided to have a discussion with Ms. Shaff about a solution since she was going to be coming out anyway; she came out and immediately Condemned the unit and placarded the building; and within 1 hour, have the VB people come out and asked the tenants to move out; he then called Phil Owens and told him what was happening; Mr. Owens decided to hold off on the Revocation; he asked if Mr. Owens and Ms. Shaff could meet him at the property; he told Mr. Owens that the parking lot issue was the main thing that Ms. Shaff had Revoked the C of O on; he decided that he would cut out the existing lot and put in a new one on a different area and the site plan was approved
- he has done everything that he can from what he understands from the Orders; now, he wanted Mr. Owens and Ms. Shaff to be more detailed and specific
- Mr. Owens said that he and Ms. Shaff would go out and that Mr. Vue should not be there at that time; they would get back to him
- in Aug, he had asked Ms. Shaff what else needed to be done and she would not tell him, specifically
- when he got the letter, he tried to figure out exactly what they wanted him to do; they did what they thought they should do
- Ms. Shaff was never forthright about or specific about what the real issue was or specific problem was
- every time Ms. Shaff came out, he had people there when he would ask her specific questions and ask her to tell him if she could see anything else that he hadn't done; he asked that over and over again and Ms. Shaff would say, "I will get back to you."
- he has been in the construction business for 15-20 years and he figures that he knows what is going on but never seems to satisfy Ms. Shaff
- he had been working on a window; took photos of it and the Orders and went to the permit dept to see if they could tell him if he had done it right or what else he should do; they said, "What you did was what we would have recommended." There was nothing else they could tell him (they are the professionals)
- he has a private home inspector, who doesn't find anything wrong with what he has done or anything else he needs to do

Ms. Moermond:

- a private home inspector doesn't have responsibilities for enforcing the code; he also, is a building inspector, not a certified building inspector under the state
- Ms. Shaff is also a certified building inspector; 30-40 people in DSI are and have equivalent credentials
- reviewed the private home inspector's letter
- said that she considers Mr. Hedquist's opinion advisory only

Mr. Vue:

- asked is he could suggest something that might be able to resolve this problem: he would like to have the city building inspectors come out; he would like the Fire inspectors to specify exactly what they want to be done; have them both come out and inspect and see what they think; is the work sufficient or is more needed, and if more is needed, what; he doesn't know what else he can do; he needs someone to come out and explain; he is willing to spend the money to repair properly; it's important for him to get this done; he would not just leave it if he would know exactly what to do
- the Fire Dept is saying that the work isn't done; and he is saying that he doesn't know what else he can do; he needs to have someone else come out and make that decision
- his contractors don't understand the Orders; they say, that from what they see,

everything is done

Ms. Moermond:

- is gathering from Mr. Vue that he doesn't want to have the place vacated; and he wants additional time to rectify the problems, even though he doesn't know what they are

Ms. Vang-Sitler:

*- her role is to serve her clients; to make sure that they have their primary needs met
- she doesn't want to make them homeless
- she has to believe what they tell her*

Ms. Shee:

- doesn't see any problems; when she needs help, she calls the landlord and he takes care of things

Ms. Ritnorakan:

*- when she saw the letter on the door, she wanted to know what the problem was
- she works with the community and helps them (people from Burma and Thailand)
- this family has quite a few members and we had trouble finding housing for them; at last, they found this place; she helps finding housing for this community; it would be very difficult trying to find another place for this family (large enough for a reasonable price); this has worked out; they have good communication with this landlord
- she does speak English; is an associate pastor from the church and is a leader in this community
- this place is perfect for this family; there is nothing wrong; would like for this family to stay there*

Ms. Moermond:

*- last Nov, Mr. Vue appealed Vacate Orders on this same property and the appeal was denied
- DSI, under it's own will, granted extensions into Jun 2014, etc; they don't need to negotiate the extension with you; simply put a time certain on it; they did that and gave Mr. Vue the Certificate of Occupancy (a clean slate to get things taken care of)
- concerns that were listed nearly 1 year ago continued to show up on the list; so, she is a little dismayed that he is coming forth now saying that he doesn't understand what he's supposed to do
- at the same time, this family wants to stay living there and she doesn't have a public health and safety concern jumping out at her; so, she would like to get an inspector back into the house and do a regular Certificate of Occupancy inspection (so far, it's just been follow up)
- she can ask but not guarantee that a building inspector be available for that inspection; however, she does have to rely on the city's available credentials
- hears that Mr. Vue wants more direction, specificity and she will do her best*

Mr. Vue:

- asked if he could request a different inspector because no matter what he does, Ms. Shaff will not approve him

Ms. Shaff:

- says that it was not her decision; it was above her - Mr. Owens, her boss, made the decision; he told her exactly what he wanted in those Orders and they were reviewed by Mr. Owens; she went back on Sep 4 and told Mr. Vue and his wife that he would review the pictures with Mr. Owens; that she could not make any decisions

Mr. Vue:

- the professional contractors that he hired don't understand the Orders - don't understand what to do
- he asked Ms. Shaff specifically, "Is there anything else that I haven't done?" and she doesn't tell him anything at all; then, she comes back and Revokes it
- as of this date, he doesn't know what else there is to do; the professional inspector doesn't know; his contractor doesn't know
- he just wants to know what he should do; they need to work together - cooperate

Lamena, Mr. Vue's wife:

- wishes to make it clear because maybe her husband is not clear enough; every time he went to meet with the inspector to get clarification, he asks her and she doesn't tell him; she is not specific; so, he doesn't know which way to go; doesn't know what to do; they want safe housing for their tenants; the inspector says, "You will hear from me" but she doesn't do it
- just asking for clarity

Ms. Shee:

- at the moment, they don't have anywhere to go; if we can't live here, somebody has to help them where they can live

Ms. Vang-Sitler:

- there clients are very happy to live there

Ms. Moermond:

- will LAY THIS OVER to Sep 30, 2014
- in the interim, we will get inspectors inside the house to do a fresh inspection; she will try to also get a building inspector to be there

Ms. Shaff:

- their building engineer, Brian Karpen, has been in this house with her before on a few occasions

Ms. Moermond:

- will have a building inspector go out with Inspector Shaff

Mr. Vue:

- requested a different Fire Inspector, if possible

Ms. Moermond:

- that's an internal decision from Fire
- the occupants will not be vacated, at least until Nov 1, 2014, if it is even necessary
- will be LAID OVER to Sep 30, 2014 to get additional findings from the upcoming inspection.

Laid Over to the Legislative Hearings due back on 9/30/2014

10 [RLH VO 14-49](#)

Appeal of Lynette Cullom to a Correction Notice - Complaint Inspection (Condemnation) at 2227 GLENRIDGE AVENUE.

Sponsors: Lantry

Colleen Walbran, Southern Minnesota Regional Legal Services (SMRLS), appeared.

Fire Inspector Leanna Shaff:

- complaint inspection dated Sep 10, 2014 by Inspector George Niemeyer
- complaint from Xcel Sep 9 that the gas is off
- inspector went out and wrote Orders Condemning the property for lack of basic

facilities

- added that it's due for a Fire Certificate of Occupancy inspection

Ms. Walbran:

- key thing is to get the gas back on

- in a conference call with Xcel, they said that if a \$3,300 down payment was made, they would restore the gas

- Ms. Cullom has called every organization in town; they are hopeful that money comes together today, payment made and service restored but it may not be until Sep 22, 2014

- it's her understanding from Ms. Cullom that the exterior items have been addressed to the best of her abilities

- Ms. Cullom in the tenant

- has medical documentation; the electric won't be cut

Ms. Moermond:

- will grant until October 10, 2014 for compliance or the building must be vacated on October 13, 2014

Referred to the City Council due back on 10/1/2014

11 RLH VO 14-45

Appeal of Todd A. Erickson to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 2274 UNIVERSITY AVENUE WEST.

Sponsors: Stark

Todd Erickson, Summit Amusement, Certificate of Occupancy Responsible Person, appeared.

Fire Inspector Leanna Shaff:

- Revocation of Fire Certificate of Occupancy letter dated Aug 26, 2014 - verification of an inspection Aug 18, 2014 by Inspector Wayne Spiering

- 17 items on the list

- Revocation dues to numerous cancellations, wanting re-schedules, etc. without compliance of any kind

- Inspector's notes: voice mails canceling inspections; faxes from Mr. Erickson, phone calls that weren't returned

- first appointment letter sent Mar 31, 2014

- photos

- Apr 24, 2014: cancellation from Mr. Erickson on the general voice mail

- Apr 25, 2014: Inspector Spiering writes - made contact with Mr. Erickson to schedule inspection for May 6, 2014; on May 6, received a fax from Mr. Erickson requesting a reschedule; Todd is advised that the roof needs to be repaired - is in process of getting bids; needs to attend meeting today re LRT construction and possible damage to his building; Scheduled another inspection for May 28, 2014 and advised that the inspection will be done or he will Revoke the C of O; informed him that a request for reschedule will not be granted.....

- May 28, 2014: received a call from Mr. Erickson advising me that he's a disabled vet and he has to go see the Dr; will call back to reschedule when he gets done

- Jun 12, 2014: never received his phone call back; could not leave a message, his mail box was full

- Jun 26, 2014: received another Email from....that Mr. Erickson left another voice mail on city's main number to cancel the inspection (4th time he's requested to cancel)

- no one showed for inspection scheduled; visual inspection of interior through the windows revealed water damage to interior of the building; garbage, debris

accumulated around exterior; vehicles with expired tabs

- Jul 15, 2014: received call from Mr. Erickson - has Dr. appointment; someone will be there

- Jul 16, 2014: Mr. Erickson didn't show up; came to access - building is full of cluttered storage and huge pin ball video games; owner says that he may be selling building soon

- Jul 21, 2014: contacted Mr. Reed re notes - Ramsey Co Environmental Health - spilled oil on property; Ramsey Co is handling that

- Aug 18, 2014: received call 20 minutes prior to re-inspection from Todd Erickson, who indicated that his truck's not running, so, he will cancel the reinspection

- Aug 22, 2014: supervisor advised to Revoke the C of O (could not leave message; cell # was disconnected)

- a long history of no access

- building has some very serious issues

Mr. Erickson:

- he is a DAV who had been in the hospital for 5 days; he was released in late Jun 2014; he made 3 trips to the Emergency Room

- had medical problems

- past history shows nothing like that

- has owned building since 1984

- reason for water damage was from construction of LRT; such bad noise inside the building, it was like a mortar attack, so he left

- he had been working on this

Ms. Moermond:

- wants to get an inspector inside the building

- asked what Mr. Erickson was going to do about getting an inspector in

Mr. Erickson:

- Wayne has been in the buiding - no problem with that

- now, he's feeling a lot better and he's on this stuff

- will have the majority of the work done within the next 2 weeks, at least

- now that he has his health back, he's actively on this

- he had 4 appointments in a row at the VB when he was supposed to meet with Wayne - and he showed him, so that he wouldn't think that he was making it up

- he has been around Agent Orange and nuclear weapons so he's a little concerned about his health

Ms. Moermond:

- asked what won't be done in 3 weeks if an inspector were scheduled to come out them

Mr. Erickson:

- will not have trailer storage done because he is zoned I-2, not T3 like it says in the Orders; he should be able to store his trailer there

- he has one truck that was just vandalized; they took the battery cables

- to the tailgate, he has it insured; he is having the '89 towed to the show to get it fixed; the other one works

- he's concerned about the area - lots of copper things stolen - he's working with SPPD

- he wants to hook-up a camera to help catch the robbers

- has questions about the windows

Ms. Moermond:

- he must deal with the entire window

- whatever he can't have done in 3 weeks - she will give him a different deadline; everything else has to be done in 3 weeks

Mr. Erickson:

- he should have the damaged ceiling done
 - outside of bldg will get done first
 - in main room, the water damaged material has been taken down
 - back door, he's good
 - he wants to make sure everything is dry inside before he puts up walls - #16
 - if he is zoned Industrial, does he need to put up wallboard because he's in the process of selling

Ms. Shaff:

- we haven't really been inside the building except for 1 time; there's a lot of "ifs"
 - if there are zoning issues....

Mr. Erickson:

- talked with Kelly Bauer, Councilmember Stark's Office, and she said that he was grandfathered under I-2; when it's sold, it changes
 - he wants to get this done before winter

Ms. Moermond:

- wants to get a fire inspector in the building to get a clean report because it's been a while and use that to make a Work Plan, which will probably have 2 sets of deadlines: 1) one that's 3 weeks out; and 2) one that's 6 or 8 weeks out
 - will LAY THIS OVER for 2 weeks; in the interim, we will get an inspector out there
 - Mr. Erickson needs to make himself available to the inspector or his appeal is denied

Laid Over to the Legislative Hearings due back on 9/30/2014

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 12 [RLH FCO 14-122](#) Appeal of Cynthia and Curtis Collins to a Correction Notice - Complaint Inspection at 1477 ARKWRIGHT STREET, UNIT E.
Sponsors: Brendmoen
No one appeared; deny the appeal. (Owner missed hearing twice)
Referred to the City Council due back on 10/1/2014
- 13 **RLH FCO 14-138** Appeal of David Theobald to a Fire Inspection Correction Notice at 973 JESSAMINE AVENUE EAST.
Sponsors: Bostrom
Owner came to hearing on Wednesday. I rescheduled him to 9/23.
No one appeared. Deny the appeal.
Laid Over to the Legislative Hearings due back on 9/23/2014

- 14 [RLH FCO 14-78](#) Appeal of John D. Lenzi to a Correction Notice-Complaint Inspection at 662 PAYNE AVENUE. (Public hearing continued from August 6) (Public Hearing to be continued to October 15, 2014)

Sponsors: Lantry

To continue the Public Hearing to October 15, 2014.

RE: 662 Payne Avenue (Medical Office/Clinic-B-Commercial)

John Lenzi, owner; Jay Sigvertsen, Dayton's Bluff representative; and Lisa Hollingsworth, Southern Minnesota Regional Legal Services (SMRLS), appeared.

Ms. Moermond:

- we were looking at changing the zoning and use on this
- a case went forward to the Zoning Committee

Ms. Hollingsworth:

- Mr. Sigvertsen has been working with Mr. Lenzi both on the construction piece, on hold pending Zoning Committee outcome
- Zoning Committee will be hearing this recommended change in zoning matter on Sep 25, 2014 at 3:30 p.m.
- has a support letter from the Payne Phalen District 5 Planning Council recommending the rezoning be approved
- all pieces are in place waiting the outcome of the Zoning Committee

Ms. Moermond:

- will LAY this OVER and touch base after ZC decision
- asked Ms. Hollingsworth to let her know about the ZC decision
- at City Council Public Hearing tomorrow, Sep 17, she will ask them to LAY IT OVER to Oct 15, 2014

Referred to the City Council due back on 9/17/2014

2:15 p.m. Hearings

- 15 [RLH FCO 14-125](#) Appeal of Georgia Duncan for Heidy Flores to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 1457 ALBANY AVENUE.

Sponsors: Stark

Georgia Duncan, daughter Amber, who lives in this house, and her little boy, appeared.

Nhia Vang, Legislative Hearing Officer

Fire Inspector A. J. Neis:

- Inspector Lisa Martin conducted an inspection on Sep 12, 2014 as a follow-up; met with Ms. Duncan
- the house was somewhat straightened up; the floors were still filthy
- there was a dumpster on the site
- carpet had been torn up from 1 room
- the inspector gave until Oct 17 for everything to be complete
- this home is challenged based on the fact that if the inspectors are not continuously in the house making sure that it's being updated and kept, it declines into a poor state of maintenance and disrepair, which poses a concern for the occupants, especially

the children

- *Ms. Duncan is taking steps to try to remedy the situation*
- *there are open permits: new furnace, etc.*
- *progress is being made*

Ms. Duncan:

- *she is representing her other daughter, Heidy Flores, who owns the house*
- *repairs are in process and thinks they will be finished in the next 4-5 weeks*
- *a chimney repair man was there this morning*
- *each item is being addressed*
- *the lower level has been cleaned*
- *there are 3 bedrooms upstairs, 2 of them are used for sleeping, one for play*
- *Amber is trying to decrease the clutter and learning how to organize*
- *the lower opening of the chimney will be sealed*
- *about 1/3 of the fence is down; when down, it will not be replaced now; in the spring, Heidy may put up a new fence*

Mr. Neis:

- *would recommend that the fence be replaced because of a substantial drop, about 4 feet into the neighbor's yard; but there is no requirement for a fence*

Ms. Duncan:

- *besides not cleaning well, Amber has a hard time letting go of things*
- *laundry is an extremely difficult situation for her; she does have a washer and dryer*
- *she keeps encouraging her to make progress and get the repairs done*
- *is trying to get some people in to help Amber finish the work and repairs*
- *she lives in the same neighborhood as Amber*

Ms. Vang:

- *agrees that Amber needs constant supervision to make sure that she meets the deadline*
- *appreciates their efforts to keep things moving forward*

Amber:

- *is working to get her depression under control so that she is able to devote more time to cleaning and repairs*
- *the carpeting will be taken out completely and the floors will be painted or covered in some way; edges will be insulated*

Ms. Duncan:

- *there is not much money to take care of things*
- *when Amber moves out, Heidy will get the house ready to sell*

Ms. Vang:

- *will grant until October 17, 2014 for compliance or the house must be vacated.*

Referred to the City Council due back on 10/1/2014

2:30 p.m. Hearings

Vacant Building Registrations

- 16** [RLH VBR 14-66](#) Appeal of Pavel Sakurets to a Vacant Building Registration Renewal Notice at 941 CYPRESS STREET.

Sponsors: Bostrom

Deny the appeal.

Vadim Komisarchik, property manager, appeared on behalf of Real Estate Division LLC, owner.

Inspector Rich Singerhouse, Vacant Buildings:

- *fire here Sep 25, 2013*
- *Category 1 VB opened up*
- *we cancelled the first year's VB fee (90-day fire exemption)*
- *gave Appellant three additional 90-day VB fee waivers*
- *VB fee for 2014-2015 is due*

Mr. Komisarchik:

- *the check they received from insurance was not enough for the repairs; was close to a complete loss*
- *they just got financing from Bridgewater Bank; should be done by the end of the year*

Fire Inspector A. J. Neis:

- *permits pulled: electrical (Oct 2013 - \$2,000 value) and building (Nov 2013 - \$17,000 value for total house)*

Ms. Moermond:

- *you have a long way to go; people usually pull the plumbing permit first*
- *doesn't think that \$17,000 is an accurate estimation for a heavy fire*

Mr. Neis:

- *the damage estimate from the investigator was over \$60,000*
- *house was valued at \$90,000*
- *based on the photos, he would not recommend any extensions on this*

Mr. Singerhouse:

- *they have been rehabbing this whole time*

Mr. Neis:

- *should really go through Code Compliance inspection*

Ms. Moermond:

- *viewed photos*
- *permits are a month away from being expired*
- *a whole year has transpired and the job isn't done*
- *get the work done quickly*
- *the fire exemption has passed by 9 months*
- *will recommend denial of the appeal on the VB fee; however, it will go to assessment and when she sees it there, she will know how far along the rehab is and she will re-visit it then*
- *DSI should issue permits in spite of the fact that you haven't paid your VB fee*
- *also, the time has expired so far from when the fire exemption happened, she thinks that it needs a Code Compliance inspection*

Mr. Singerhouse:

- *then, it will need to be changed to a Category 2*
- *he would have to get the Code Compliance Inspection*
- *and he can still pull permits without paying the fee*

Ms. Moermond:

- if he has the sign-offs in 3 months, she will delete the VB fee
- if he is not going to be done until 6 months, she will cut it in half

Referred to the City Council due back on 10/1/2014

17 [RLH VBR 14-63](#) Appeal of Brent Schlapkohl to a Vacant Building Registration Notice at 900 SAINT PAUL AVENUE.

Sponsors: Tolbert

Change to Cat 1 VB and waive the VB fees for 6 months.

RE: 900 Saint Paul Avenue (Single Family)

Mary Ann Buck, realtor, appeared representing owners Brent and Lourdes Schlapkohl.

Rabbi Wilhelm also appeared.

Ms. Moermond:

- a report was put on the record a week ago when no one had appeared
- will put that same report on the record again

Fire Inspector A. J. Neis:

- complaint came in Jul 2014 about possible overcrowding and illegal rooming and boarding house
- Revocation of Fire Certificate of Occupancy by Mr. Neis after his inspection regarding the complaint
- he assisted Inspector Cassidy; they found 19 people living in this house with 5 bedrooms; all non-related children and young adults
- it was illegally occupied by Rabbi Wilhelm - rented out to a summer camp on a temporary basis to a large group of kids who did not know that they were being put into an illegal occupancy
- the owners were given information that was less than truthful about how the house was going to be used and the number of people who would be living there
- as a result, the C of O was Revoked and Ordered the number of occupants reduced because several of these children came from out-of-state; they decided to let them continue occupancy with specific safeguards until they went back to their homes
- the property owners faced the fact of illegal occupancy of their house and as a result, the house became a Category 2 Vacant Building
- this is not the only house that Rabbi Wilhelm occupied in this way; he allowed this to take place at other residences in St. Paul
- based on the fact that these owners were deceived by Rabbi Wilhelm's lack of judgment, he would recommend that this house be moved from a Cat 2 to a Cat 1 VB because it's a nice house

Ms. Buck:

- introduced photos
- the furnace has been checked out; it's fine
- smoke alarm affidavits were submitted; also a CO alarm
- is hoping that the Cat 2 can be lifted
- has a Purchase Agreement for the house but the sale can't happen unless the Cat 2 can be lifted
- the owners thought that there would be only 8-10 people living in the house

Ms. Moermond:

- will recommend that the classification be changed to a Category 1 Vacant Building

- will ask the dept to waive the VB fee for 6 months

Referred to the City Council due back on 9/17/2014

18 [RLH VBR 14-68](#) Appeal of Corey Denicola and David Chadima to a Vacant Building Registration Notice at 1622 WELLESLEY AVENUE.

Sponsors: Tolbert

Corey Denicola, tax owner, and David Chadima appeared.

Inspector Rich Singerhouse, Vacant Buildings:

- *Inspector Dornfeld opened a Category 2 Vacant Building Aug 13, 2014*
- *referral from Code Enforcement which Condemned the property Aug 12, 2014 for lack of gas*
- *Mr. Dornfeld called and said that he would recommend changing it to a Cat 1 VB*

Mr. Chadima:

- *they are in the process of rehabbing the house; Corey owns the house*
- *Corey is his future son-in-law; he had his brother living in this house, who did not do it justice*
- *a lot of debris was left; the grass wasn't getting cut*
- *Corey was not aware of all that*
- *the house needs TLC*
- *they are doing what they need to do: got a dumpster and removing carpet; re-painting; rehabbing it to sell*
- *all utilities are back on*
- *it's a nice house*
- *asked that Ms. Moermond consider an extension*
- *the work will be done in the next 30 days*

Ms. Moermond:

- *will need to pull permits, if required*
- *will recommend Changing it from a Category 2 to a Category 1 VB and waiving the vacant building fee for 6 months.*
- *if it's not sold and someone living in it, the VB fee will be put into place*

Referred to the City Council due back on 10/1/2014