



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
*Jean Birkholz, Hearing Secretary*  
*legislativehearings@ci.stpaul.mn.us*  
*651-266-8585*

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Tuesday, October 7, 2014

9:00 AM

Room 330 City Hall & Court House

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### 9:00 a.m. Hearings

#### Special Tax Assessments

- 1     [RLH TA 14-570](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 1355 STILLWATER AVENUE.
- Sponsors:**     Bostrom
- Lo Yang, owner, appeared.*  
*Hmong interpreter was available.*
- Ms. Moermond:*
- this was Laid Over to view the VIDEO of the clean-up
  - the photos showed a lot of stuff that needed to be cleaned-up
  - there was a question about whether or not a family member had done that clean-up
- VIDEO - tarps, trash, broken swimming pool - contents of the make-shift shed; wood; plastic; metal; canopy; etc.*
- Reviewed the video: lawn mower was still there*
- Mr. Yang had indicated that the lawn mower and tools were taken and he called the police about it; maybe, someone took those things after this clean-up
  - sons maybe opened mail; was Mr. Yang aware of this Order
- Mr. Yang:*
- he did not get to see the previous letter; this is the first letter I got
  - a toddler also may have thrown the letter into the recycling bin
  - he could have followed up if he had seen the letter
  - we surprised when all the things were gone
  - owned this property since Apr 1996
- Inspector Paula Seeley:*
- there was a vehicle violation at about the same time
  - trash violation 2009, 2010
- Ms. Moermond:*
- pretty clean history
  - Mr. Yang is responsible for reviewing his mail or that he is present when one of his sons is reviewing his mail
  - when and Order comes, there's a phone number to call if you speak Hmong or

*Spanish*

*- if there are no violations for 1 year, she will recommend cutting this assessment in half payable over 2 years*

*Legislative Hearing Officer recommends cutting the assessment in half from \$504 to a total of \$252 and payable over two years if there are no violations for a year.*

**Referred to the City Council due back on 1/7/2015**

- 2      [RLH TA 14-598](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 253 ANNAPOLIS STREET WEST.

**Sponsors:**      Thune

*Legislative Hearing Officer recommends approval of the assessment; no one appeared.*

**Referred to the City Council due back on 1/7/2015**

- 3      [RLH TA 14-601](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 706 BLAIR AVENUE.

**Sponsors:**      Thao

*Legislative Hearing Officer recommends approval of the assessment; no one appeared.*

**Referred to the City Council due back on 1/7/2015**

- 4      [RLH TA 14-588](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 1359 CASE AVENUE.

**Sponsors:**      Bostrom

*Legislative Hearing Officer recommends approval of the assessment; no one appeared.*

**Referred to the City Council due back on 1/7/2015**

- 5      [RLH TA 14-583](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 235 CHATSWORTH STREET NORTH. (Legislative Hearing on January 6, 2015)

**Sponsors:**      Thao

*Dwayne and Regina Billups, owners, appeared.*

*Inspector Joe Yannarely:*

- Vacant Building fee*
- Category 2 Single Family Vacant Building*
- entered program Oct 2001 and is still in the VB Program*
- there are 2 expired Code Compliance Reports on it; last one in 2011*

*Mr. Billups:*

- they are trying to renovate it and keep up with the taxes and fees
- what else do we need to do
- we have electricity, water and heat
- also have a contractor
- we need to know what the minimum is that we need to do so we can get off of this VB list

Ms. Moermond:

- you've had 2 code compliance inspections in the past and they have expired but that deficiency list is the one that needs to be taken care of
- unfortunately, those lists have expired; so, the Code Compliance Inspection needs to be re-done because the city needs confirmation on what's been done and what hasn't and if anything, like copper, has been stolen, etc.

Mr. and Mrs. Billups:

- he lives right across the street
- they do keep it up
- they think that all they need to do yet is the plumbing but they want to make sure of it
- the inspectors passed the electricity and the furnace was put in by Snelling; they are sure the permit was pulled
- they want to know where they're at

Mr. Yannarely:

- permits: 2 permits for plumbing are finalized; there's an active Window Concept permit from 2011
- there's an active building permit
- the last inspection report said that the electric was gutted and needed everything replaced
- thinks that they just need to contact Jim Seeger and do a Code Compliance Inspection

Ms. Moermond:

- it's been 13-14 years; we need to see an end game

Mrs. Billups:

- we'll be done by the end of the year with the plumbing

Ms. Moermond:

- City Council Public Hearing Jan 7m 2015
- LAYOVER to Jan 6, 2015 LH to see where this is at
- would like to cut them a break if she can see some progress
- maybe, a Seeger only Code Compliance inspection will be needed

Legislative Hearing Officer recommends laying over to January 6, 2015 LH to get a code compliance report.

**Referred to the City Council due back on 1/7/2015 (Leg. Hrg on 1/6/15)**

**6**      [RLH TA 14-600](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 480 FOREST STREET/942 CONWAY STREET.

**Sponsors:**      Lantry

Legislative Hearing Officer recommends approval of the assessment; no one appeared.

**Referred to the City Council due back on 1/7/2015**

- 7      [RLH TA 14-584](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1502E, Assessment No. 158301 at 878 FREMONT AVENUE.

**Sponsors:**      Lantry

*Legislative Hearing Officer recommends approval of the assessment; no one appeared.*

**Referred to the City Council due back on 1/7/2015**

- 8      [RLH TA 14-582](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501A, Assessment No. 158500 at 2156 JEFFERSON AVENUE.

**Sponsors:**      Tolbert

*Legislative Hearing Officer recommends approval of the assessment; no one appeared.*

**Referred to the City Council due back on 1/7/2015**

- 9      [RLH TA 14-599](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 675 MAGNOLIA AVENUE EAST.

**Sponsors:**      Bostrom

*Legislative Hearing Officer recommends approval of the assessment; no one appeared.*

**Referred to the City Council due back on 1/7/2015**

- 10     [RLH TA 14-576](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158400 at 1866 MARYLAND AVENUE EAST.

**Sponsors:**      Bostrom

*Legislative Hearing Officer recommends approval of the assessment; no one appeared.*

**Referred to the City Council due back on 1/7/2015**

- 11     [RLH TA 14-589](#)      Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 1160 MONTREAL AVENUE.

**Sponsors:**      Thune

*Luther Johnson, owner, appeared.*

*Inspector Joe Yannarely:*

*- Vacant Building fee*

*- Category 2 VB opened Jun 5, 2012*

- VB file was closed Aug 20, 2014, 2 months passed the anniversary date

Ms. Moermond:

- will recommend this assessment be deleted

**Referred to the City Council due back on 1/7/2015**

**12**      [RLH TA 14-590](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 1631 REANEY AVENUE.

**Sponsors:**            Lantry

*Jeff Sullivan, owner, appeared.*

*Inspector Joe Yannarely:*

- Registered Vacant Building fee for Mar 20, 2014 - Mar 20, 2015
- Category 2 VB file opened Mar 20, 2014
- active Code Compliance Report
- One 60-day VB fee waiver was already granted on Mar 27, 2014 to complete the code compliance list but still not completed
- has history of complaints: tall grass/weeds work orders; snow/ice work orders

*Mr. Sullivan:*

- he thought that was paid on Feb 14, 2014 before he purchased the house
- it was fire damaged

*Mr. Yannarely:*

- believes that the fee paid on Feb 14 was for the Sale Review (Vacant Building Sale Approval Fee for \$275)

*Mr. Sullivan:*

- before he purchased the house, he was informed that the VB fee was, in fact, paid

*Ms. Moermond:*

- you had the Code Compliance Inspection fee paid for by previous owner
- then, there was a fee for having a Sale Review (\$275)
- but the VB fee for the upcoming year was not yet paid; perhaps, the past year's VB fee was paid (2013-2014)
- the 2014-2015 VB fee was billed back in Feb when you bought it but it got a 60-day waiver and you didn't see a bill

*Mr. Sullivan:*

- his final inspection is scheduled for today, Oct 7, 2014
- Mr. Seeger is coming out at 2:30 pm

*Ms. Moermond:*

- if you pass the inspection today (half way thru the year)
  - will be happy to prorate this, getting it down to half; actually, will give you another month in case there are some last corrections
- Legislative Hearing Officer recommends reducing the assessment from \$1595 to a total of \$800.*

**Referred to the City Council due back on 1/7/2015**

**13**      [RLH TA 14-602](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1501 Assessment No. 158800 at 1155 SEVENTH

STREET WEST.

**Sponsors:** Thune

*Legislative Hearing Officer recommends approval of the assessment; no one appeared.*

**Referred to the City Council due back on 1/7/2015**

**14**     [RLH TA 14-593](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1502E, Assessment No. 158301 at 1373 SIMPSON STREET.

**Sponsors:** Brendmoen

*Legislative Hearing Officer recommends approval of the assessment; no one appeared.*

**Referred to the City Council due back on 1/7/2015**

**15**     [RLH TA 14-596](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1502E, Assessment No. 158301 at 873 SIXTH STREET EAST.

**Sponsors:** Lantry

*Ebony Gums, owner, appeared.*

*Inspector Paula Seeley:*

- Excessive Consumption fee
- cost \$20 + \$35 service charge = \$155 (PAEC)
- tall grass/weeds order mailed May 30, 2014; compliance Jun 3; checked Jun 4
- work order sent to Parks
- sent to Ebony Gums, 873 Sixth St; and Occupant

*Ms. Gums:*

- she was in contact with the inspector
- she had sustained significant injury to her right hand (severed nerve) and she was not residing in her home
- via email, she explained the situation to the inspector
- her sister came out and mowed her lawn for her

*Ms. Moermond:*

- the charge is for having to make a trip out there to check because it wasn't done by the compliance date; it was done right away after that so, when the work crew arrived, it was already done

*Ms. Gums:*

- so, she is asking that the fee be waived
- she has lived there for almost 2 years and has not had any issues since the purchase date, Dec 13, 2012
- plus, she was in grad school and also had a trial going on; so, her family tried to step in and help

*Ms. Seeley:*

- no history on the property

*Ms. Moermond:*

*- Legislative Hearing Officer recommends deleting the assessment if there are no more violations between now and the new year.*

**Referred to the City Council due back on 1/7/2015**

**16**      [RLH TA 14-594](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1502E, Assessment No. 158301 at 2022 SUBURBAN AVENUE.

**Sponsors:**          Lantry

*Lolita Tolefree, owner, appeared.*

*Inspector Paula Seeley:*

*- Excessive Consumption fee: \$120 + \$35 service charge = \$144*

*- Orders sent Jun 3, 2014; compliance Jun 9 to remove a vehicle that was parked on the grass in the back yard; re-checked Jun 11, 2014*

*- sent to JP Morgan Chase Bank, 3415 Vision Dr, Columbus OH; Manochehr Chehrizi, 26 20th Ave SE, New Brighton, MN; and Occupant*

*Ms. Tolefree:*

*- closed on property end of May, 2014 and moved in Jun 1, 2014*

*Ms. Moermond:*

*- Order was sent to the previous owner, not to you, although you owned the property at that time*

*- you did not receive proper legal notification*

*- will recommend deleting this assessment*

**Referred to the City Council due back on 1/7/2015**

**17**      **RLH TA 14-586**

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 101 SYCAMORE STREET WEST.

**Sponsors:**          Thao

*Thomas Huynh, owner, appeared.*

*Ms. Moermond:*

*- Certificate of Compliance was issued Oct 1, 2014*

*- staff: you spent 3 1/2 months in the Vacant Building Program this year; then, got project done*

*- anniversary date: Jun 27, 2011*

*- VB bill from Jun 17, 2014 - Jun 17, 2015*

*- 3 1/2 months this year*

*- will recommend reducing the assessment from \$1595 to a total of \$400*

**Referred to the City Council due back on 1/7/2015**

**18**      [RLH TA 14-591](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1502E, Assessment No. 158301 at 1435 THIRD STREET EAST.

**Sponsors:**          Lantry

*Tammy Defrere, Brimar Properties LLC, appeared.*

*Inspector Paula Seeley:*

- PAEC
- tall grass/weeds order issued Jun 4, 2014; compliance Jun 8; re-checked Jun 10
- work had already been done the crew came
- cost: \$120 + \$35 service charge = \$155
- sent to NationStar Mortgage LLC, 350 Highland Dr, Lewisville Tx; and Occupant
- no returned mail
- the Certificate of Occupancy fee: \$410 from Apr 22, 2014 and Jun 13, 2014
- single family house
- property has several Orders of deficiencies: Feb, Mar and Apr 2014

*Ms. Defrere:*

- we just closed on property Jul 15, 2014
- were not aware of any assessments
- was a foreclosed property
- seller couldn't tell them anything about this
- she spoke with the Fire Inspector about this
- they are renovating the property and will be selling it
- they are not going to be renting this property

*Ms. Moermond:*

- May 8, 2014 - received Certificate of Occupancy
- you bought the property with a Certificate of Occupancy
- the bill was incurred by previous owner and the previous owner received proper notification
- you inherit the property's debt when you buy the property; provisions should be contained in closing documents
- the orders were out there and the work was done; the seller needs to disclose that to you but didn't
- the bill is attached to the property; NationStar should pay you because they incurred the bill and also did not disclose it
- there's no history since you bought the property
- will recommend deleting this assessment
- she is guessing that the Fire C of O assessment will stand; can appeal that; gave her Inspector Shaff phone number

**Referred to the City Council due back on 1/7/2015**

- 19      RLH TA 14-595      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1502E, Assessment No. 158301 at 938 WESTMINSTER STREET.**

**Sponsors:**      Brendmoen

*Eduardo Marfori, owner, appeared.*

*Inspector Paula Seeley:*

- PAEC bill for \$120 + \$35 = \$155
- tall grass/weeds Order sent May 28, 2014; compliance Jun 1; re-checked Jun 2
- work order sent
- city crew went out and found the grass to be moved which automatically created a PAEC
- sent to Eduardo Marfori, 938 Westminster St; and Occupant
- no history of problems since 2007



Mr. Marfori:

- he was mowing his lawn when the crew showed up
- mows his lawn every 2 weeks
- he can't use the lawn mower on the steep hill; he did it once and he almost fell
- he lives at this address (since 1997)
- plans to buy his own weed whip next year to use on the steep hill
- he is paying mortgage payments out of his disability

Ms. Moermond:

- there have been no problems at this property before
- this fee is for not having it done when the work crew showed up; you were in the process
- has some sympathy for his position
- City Council Public Hearing Jan 7, 2015
- it there are no violations at this site between now and Jan 7, 2015, she will recommend that this assessment be deleted

**Referred to the City Council due back on 1/7/2015**

**20**     [RLH TA 14-608](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1501 Assessment No. 158800 at 1478 SHELDON STREET.

**Sponsors:**        Stark

*John Thoma, D.F. Renovation LLC, owner, appeared with Brian Kranz*

*Inspector Joe Yannarely:*

- Vacant Building fee: \$1440 + \$155 service charge = \$1595
- Jul 16, 2013 anniversary date
- got Code Compliance Certificate Sep 4, 2014 - just 6 weeks passed the anniversary date

Ms. Moermond:

- will recommend this assessment be deleted

**Referred to the City Council due back on 1/7/2015**

**21**     [RLH TA 14-605](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 288 MAPLE STREET.

**Sponsors:**        Lantry

*No show; approve the assessment.*

**Referred to the City Council due back on 1/7/2015**

**22**     [RLH TA 14-606](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 1724 BEECH STREET.

**Sponsors:**        Lantry

**Laid Over to the Legislative Hearings due back on 11/4/2014**

- 23     [RLH TA 14-607](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1502E, Assessment No. 158301 at 1793 ARLINGTON AVENUE EAST

**Sponsors:**         Bostrom

*Legislative Hearing Officer recommends laying over to October 21, 2014 at the request of the appellant.*

**Laid Over to the Legislative Hearings due back on 10/21/2014**

- 24     [RLH TA 14-609](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1501 , Assessment No. 158800 at 741 UNIVERSITY AVENUE WEST.

**Sponsors:**         Thao

*Henry Stewart, Certificate of Occupancy Responsible Party, appeared.*

*Inspector Joe Yannarely:*

- Vacant Building fee for commercial property \$1440 + \$155 service fee = \$1595
- had a fire in Apr 2014 and give standard 90-day exemption
- still boarded and vacant

*Mr. Stewart:*

- between the insurance, the investigator, fire, etc. - that takes time
- doesn't understand why it became a VB; they have it secured and are cleaning it up everyday

*Ms. Moermond:*

- the city considers it vacant by definition because it can't be used right now for anything
- having someone in the building doing work doesn't mean the place is occupied
- when there's a fire, the city automatically gives you 90 days to give you a chance to get things cleared up with the insurance, etc.
- here, we are past 90 days and things are not done yet

*Mr. Stewart:*

- city inspection is tomorrow at the site

*Ms. Moermond:*

- the VB fee is for Apr 2014 - Apr 2015
- you got a waiver for the 1st 3 months and if you would have gotten it done in those 3 months, there would be no fee for the year
- City Council Public Hearing Jan 7, 2015
- if you can get the Certificate of Code Compliance or the Fire Certificate of Occupancy issued by then and get the building used by Jan 7, 2015, she will recommend that this be cut in half, from \$1595 to \$800

**Referred to the City Council due back on 1/7/2015**

- 25     [RLH TA 14-612](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 866 CLARK STREET.

**Sponsors:**         Brendmoen

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*Reduce from \$1595 to \$250. See correspondence attached.*

**Referred to the City Council due back on 1/7/2015**

### Staff Reports

- 26**     [RLH TA 14-520](#)     Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1410A, Assessment No. 148816 at 537 CHARLES AVENUE.
- Sponsors:**            Thao
- Legislative Hearing Officer recommends approval of the assessment and spreading payments over a five year period.*
- Ms. Moermond:*  
*Finding that there was work being done by an unlicensed contractor in July 2014 and that this situation was not rectified, a double fee/penalty was put into place. It also appears that a new code compliance inspection needs to be conducted as the last one is more than 3 years old.*
- Referred to the City Council due back on 10/15/2014**

### Special Tax Assessments - FOR DELETIONS - ALL 1/7/15 CPH

- 27**     [RLH TA 14-592](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1502E, Assessment No. 158301 at 1560 ARLINGTON AVENUE EAST.
- Sponsors:**            Bostrom
- Legislative Hearing Officer recommends deleting the assessment because the inspector did the reinspection one day early.*
- Referred to the City Council due back on 1/7/2015**
- 28**     [RLH TA 14-573](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 486 CARROLL AVENUE.
- Sponsors:**            Thao
- Legislative Hearing Officer recommends deleting the assessment because the property was assessed in error.*
- Referred to the City Council due back on 1/7/2015**
- 29**     [RLH TA 14-572](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 922 FIFTH STREET EAST.
- Sponsors:**            Lantry
- Legislative Hearing Officer recommends deleting the assessment because the project is done.*

**Referred to the City Council due back on 1/7/2015**

- 30     [RLH TA 14-603](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 1018 GERANIUM AVENUE EAST.

**Sponsors:**     Bostrom

*Legislative Hearing Officer recommends deleting the assessment.*

**Referred to the City Council due back on 1/7/2015**

- 31     [RLH TA 14-578](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 2164 HAWTHORNE AVENUE EAST.

**Sponsors:**     Bostrom

*Legislative Hearing Officer recommends deleting the assessment; fee is already paid.*

**Referred to the City Council due back on 1/7/2015**

- 32     [RLH TA 14-579](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No 158800 at 101 MCKNIGHT ROAD NORTH.

**Sponsors:**     Lantry

*Legislative Hearing Officer recommends deleting the assessment; fee is already paid.*

**Referred to the City Council due back on 1/7/2015**

- 33     [RLH TA 14-585](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1502E, Assessment No. 158301 at 763 MINNEHAHA AVENUE EAST.

**Sponsors:**     Bostrom

*Legislative Hearing Officer recommends deleting the assessment because the inspector re-checked the property a day before the compliance date.*

**Referred to the City Council due back on 1/7/2015**

- 34     [RLH TA 14-577](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 1150 REANEY AVENUE.

**Sponsors:**     Lantry

*Legislative Hearing Officer recommends deleting the assessment; fee is already paid.*

**Referred to the City Council due back on 1/7/2015**

- 35     [RLH TA 14-580](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 81 ROBIE STREET

WEST.

**Sponsors:** Thune

*Legislative Hearing Officer recommends deleting the assessment; fee is already paid.*

**Referred to the City Council due back on 1/7/2015**

- 36     [RLH TA 14-574](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 787 SHERBURNE AVENUE.

**Sponsors:** Thao

*Legislative Hearing Officer recommends deleting the assessment because the property was assessed in error.*

**Referred to the City Council due back on 1/7/2015**

- 37     [RLH TA 14-571](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1501G, Assessment No. 158700 at 1153 SHERBURNE AVENUE.

**Sponsors:** Stark

*Legislative Hearing Officer recommends deleting the assessment.*

**Referred to the City Council due back on 12/17/2014**

- 38     [RLH TA 14-575](#)     Deleting the Appealed Special Tax Assessment for Real Estate Project No. VB1501, Assessment No. 158800 at 1242 WOODBRIDGE STREET.

**Sponsors:** Brendmoen

*Legislative Hearing Officer recommends deleting the assessment because the property was assessed in error.*

**Referred to the City Council due back on 1/7/2015**

#### **Special Tax Assessments - ROLLS**

- 39     **RLH AR 14-74**     Ratifying Excessive Use of Inspection services billed May 22 to June 20, 2014. (File No. J1502E, Assessment No. 158301)

**Sponsors:** Lantry

**Referred to the City Council due back on 1/7/2015**

- 40     **RLH AR 14-75**     Ratifying Graffiti Removal services during June 17 to July 18, 2014. (File No. J1501P, Assessment No. 158400)

**Sponsors:** Lantry

**Referred to the City Council due back on 1/7/2015**

- 41     **RLH AR 14-76**     Ratifying Collection of Vacant Building fees billed November 18, 2013 to June 25, 2014. (File No. VB1501, Assessment No. 158800)

Sponsors:     Lantry

Referred to the City Council due back on 1/7/2015

Summary Abatement Orders (NONE)

## 11:30 a.m. Hearings

### Orders To Vacate, Condemnations and Revocations

- 42     [RLH VO 14-54](#)     Appeal of Le Nguyen to a Notice of Condemnation Unfit for Human Habitation and Order to Vacate at 1792 CASE AVENUE.

Sponsors:     Bostrom

*Le Nguyen, Responsible Party, appeared.*

*Fire Inspector A. J. Neis:*

- Notice of Condemnation/Unfit for Human Habitation and Order to Vacate dated Sep 4, 2014 by Fire Inspector Jeremy Hall; re-inspection Sep 26, 2014
- property has been challenging: went thru a Condemnation; lifted the Condemnation; etc.
- did the inspection Sep 4; a few days later, they got a complaint for utility shut-off; etc.
- appealed is #12 - driveway; they want a year extension to re-do the driveway
- photos in file

*Ms. Moermond:*

- seeing a lot of vehicles, broken fence, overgrowth, tires, etc. from photos

*Ms. Nguyen:*

- they cleaned that up
- the tenants moved out and left junk in the back
- they passed everything on list at re-inspection except for the driveway-unpaved parking space in back
- they were given less than a month to re-do it (too little time)
- asking for an extension into next year because of the winter
- currently, the surface is gravel and rocks; plan to build a 1-car garage and put down cement parking area
- alley

*Mr. Neis:*

- the alley is paved; photo in AMANDA taken yesterday
- the exterior of the property is substantially clean-ed up
- there's growth in the Class 5 with clean, definitive lines for parking
- things look 100% better

*Ms. Moermond:*

- maintain the Class 5 surface (keep growth out of it)
- grant extension to Aug 1, 2015

*Legislative Hearing Officer recommends granting an extension to August 1, 2015 to bring the property into compliance.*

**Referred to the City Council due back on 11/5/2014**

**43**      [RLH VO 14-50](#)

Appeal of James N. Gilbert to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1127 RAYMOND AVENUE.

**Sponsors:**          Stark

*James Gilbert, owner, appeared.*

*Mr. Gilbert entered photos*

*Fire Inspector A. J. Neis:*

- *is not sure why we are here today*
- *this was a Revocation of the Fire Certificate of Occupancy/Order to Vacate Dated Sep 4, 2014*
- *was given a deadline of Oct 1, 2014 to have everything completed or Vacated; that has come and gone*

*Mr. Gilbert:*

- *he does everything himself*
- *pointed out in his photos the detail and the time it takes to do the work (scanned photos)*
- *he has taken care of all the safety issues in 5 apartments*
- *his time table for finishing the work: 1) the roof will take most of Oct to finish; needs 2 more layers on the roof before winter; 2) the metal soffits will be taken care of in Nov; 3) the inside work will be done in Dec - the little stuff*
- *his brother and he work alone; they don't hire out; they are kind of fussy and do 1st Class work*

*Ms. Moermond:*

- *does not see the fire equipment test results (the test was done but Mr. Neis does not yet have the results)*

*Mr. Neis:*

- *this project has been going on for a long time-5 months*
- *a complaint came in Mar 2014: leaks in an apartment ceiling, which began in the kitchen and spread to living room, hallway, bathroom, bedrooms; left messages for the landlord and have not heard about getting this situation resolved (Feb 2014 email); the leaks are coming thru the concrete ceiling from water on the roof*
- *an appeal was first heard on Jul 8, 2014 and the Council set strict parameters; all completed by Jul 28, 2014; the inspector was unable to follow-up on the re-inspection*
- *he had a personal appointment*
- *Aug 4, 2014, inspector looked at the file and returned; the roof permit was active; no permit on dryer vents*
- *The COuncil had given until Aug 31 for Mr. Gilbert to abate the birds in the soffits*
- *items were still not done when a follow-up inspection took place and they found a light fixture missing; dryer vents were not done; there was a leak in the basement (owner was fixing that day); inspector took a lot of photos, however, they got lost in the new software system*
- *basically, the property has not seen progress*
- *Oct 1, 2014 was the full Vacate date*

*Mr. Gilbert:*

- *roof started to leak in the winter; they had to clean it and fix it (the apartment didn't*

*leak all summer); now, they are water proofing the other 2 apts*  
*- the roof needs a total of 3 layers of ply: 2 layers of ice and water shield, then, seal with heavy tar*

*Ms. Moermond:*

- needs furnace test results*
- dryer vents need to be done under permits*

*Mr. Gilbert:*

- the heating guy did the dryer vent; will need to call him re the permit*

*Ms. Moermond:*

- asked how she could trust him to get things done now when he hasn't gotten things done in the past? Council gave him a 90-day extension to get this done*
- told Mr. Gilbert that he will need to hire help to get things done; she can't talk about further extensions*
- you have until Nov 5, 2014 to get it all done; if it's not done by then, it will need to be Vacated by Dec 1, 2014*

*Legislative Hearing Officer recommends granting an extension to November 5, 2014 to bring the property into compliance. If it is not in compliance by then, the building will have to be vacated by December 1, 2014.*

**Referred to the City Council due back on 11/5/2014**

**44**      [RLH VO 14-53](#)

Appeal of Greg Daniel for Blue Dog Holdings, LLC to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1519 UNIVERSITY AVENUE WEST.

**Sponsors:**          Brendmoen

*Greg Daniel, Blue Dog Holdings LLC, Responsible Party, appeared.*

*Fire Inspector A. J. Neis:*

- Revocation of the Fire Certificate of Occupancy/Order to Vacate dated Sep 15, 2014 for re-inspection Oct 15*
- revoked for long-term noncompliance to get the roof fixed*
- he spoke with Appellant prior to this hearing; he advised that the roof is leaking and he has contracts in place with a licensed contractor for all the work to be completed by Nov 7, 2014*
- cost: over \$100,000 to fix; that's why this had taken so long*
- based on the fact that there's a signed contract and everything is in place...*
- his only concern is our unpredictable weather*
- he has no issue with going out a bit longer to make sure that it gets done*

*Mr. Daniel:*

- there's also an electrical issue with wires going across part of the roof; contractor is working with Xcel to get the wire removed, temporarily*
- he is frustrated that this is called long-term noncompliance because every single time they get a call from anyone in the city for anything, they take care of it immediately*
- he has 13 buildings and he has guys that always take care of these things; he spends a lot of money on fixes*
- is glad to put a new roof on but he's not getting any additional rental income for doing it*
- the roof may take a little bit longer if we get bad weather*
- it's in his best interest to make sure there are no issues with this building; it will all*



*get done*

*- cost: \$120,000-\$130,00*

*- there will also be some interior work to be done, which won't be done until after the roof is fixed*

*Mr. Neis:*

*- this has been a clean building but a lot of graffiti complaints*

*Ms. Moermond:*

*- provided Appellant with a graffiti waiver*

*- will recommend granting an extension to Dec 1, 2014 to bring the roof into compliance*

**Referred to the City Council due back on 11/5/2014**

## **1:30 p.m. Hearings**

### **Correction Orders**

### **Fire Certificates of Occupancy**

**45**

[RLH FCO  
14-142](#)

Appeal of Cosmin and Megan Tarau to a Fire Inspection Correction Notice at 1495 SAINT CLAIR AVENUE.

**Sponsors:** Tolbert

*Cosmin and Megan Tarau, owners, appeared.*

*Fire Inspector A. J. Neis:*

*- Fire Certificate of Occupancy Correction Notice dated Sep 8, 2014 by Fire Inspector Jay Bohan*

*- 3 violations were identified: 1) peculiar situation where the deck was built over the egress windows in the basement of the house which impairs escape*

*- don't really know whether the deck was built after the egress windows were installed or whether the egress windows were installed after the deck was built*

*- viewed photos*

*- owned it since 2005 and the situation was already there*

*- 2 code concerns: 1) egress of the occupants; and 2) ingress for fire fighters*

*- most recent TISH Report red-flagged the basement ceiling height as not being 7 feet high*

*- permits on file: 1) 2003 for a fence; 2) 2000 for electrical*

*Ms. Tarau:*

*- they are renting the house to 3 women; each woman is occupying a bedroom, including the basement space*

*- viewed photos*

*- entered a diagram showing the deck, egress window and side property line, just 2 feet from the deck*

*- they purchased it because it was a 3-bedroom house; with the egress window, it was legal when she purchased it*

*- to access the house, you need to be on the deck; she can't imagine that the deck wouldn't have been there before the egress window*

*- would propose digging the area deeper; would not want to tear off the deck because it would create another safety hazard; there would be this hole when you are trying to access the garage*

- another option given by the inspector was to evacuate the basement bedroom; the woman who lives there has only an 11 month lease because she plans to get married; so, she would not want to evacuate her her 6 months before she gets married
- they do want to sell the property after their leases end; she would be OK with listing it as a 2-bedroom at that point

Mr. Neis:

- it looks the deck, where the window is, was an addition; the railing constructions aren't flush

Ms. Tarau:

- when they installed the egress window, they would have had to extend the deck over the hole in order to get to the garage
- the neighbor's property is only 2 feet along the side of the deck

Mr. Tarau:

- what if the deck were lifted higher?

Ms. Tarau:

- perhaps, a plexiglas cover might help if the area were dug out more

Ms. Moermond:

- part of the deck floor itself could be turned into the door that open up right abot the egress window
- will recommend that the basement sleeping room can be used only for the duration of this tenant
- asked Mr. Neis to put a note into AMANDA that if a building permit comes in for a solution to this, that they should look at the old Fire Orders and LH minutes

**Referred to the City Council due back on 11/5/2014**

46 [RLH FCO  
14-146](#)

Appeal of Ishvar Bhakta to a Fire Certificate Correction Notice at 2152 SEVENTH STREET WEST.

**Sponsors:** Tolbert

*Ishvar Bhakta, owner, appeared.*

*Fire Inspector A. J. Neis:*

- Fire Certificate of Occupancy Correction Notice dated Aug 22, 2014 by Fire Inspector Neis
- the Highway Motel
- Officer Chuck Graupman and Libby Kantner, Councilmember Tolbert's aide, accompanied him on the inspection
- 15 code violations were identified, 1 of which were of the roof; another was the awning
- the on-site manager contacted the property owner and they were very responsive in getting it shored up quickly (very much appreciated)
- the roof has deteriorated; the shingles are coiled up; however, he did not see evidence of current leaking but it definitely needs replacement
- the owner is asking for additional time

Mr. Bhakta:

- the roof contract is already signed; they are starting tomorrow and it will take 3-4 days
- entered the contract for the record

- he thought he might need more time but doesn't think that he does now

Mr. Neis:

- #4 - awning is also being appealed
- #10- carpeting; has some frayed carpet
- #1 - fence

Mr. Bhakta:

- just got engineer's report on awning; they have all the necessary supplies and will be starting on that, too
- the carpet is only 2 years old; the seam is fraying (L-shaped room); the overall carpet is in good shape
- a thread in one area, along the seam is all that this is about; perhaps, I can cut the tread so it will not be visible

Mr. Neis:

- might be able to fix that with a transition strip; Order says Repair or Replace so, repair will do it

Ms. Moermond:

- if it's invisible when you cut the thread, she's OK with it

Mr. Bhakta:

- they don't own the fence; it's the next door's fence, Pearson's Candy Co; and he has a letter from them saying that they will be taking care of the fence
- the painter is doing the work right now on the whole building and by Oct 20, everything will be done
- just to be safe, he'd like an extension to Nov 1, 2014
- might not be able to get #12 done
- re #12 - stairs in need of major repair - They never had railings on those steps and no one ever said that he needed them

Mr. Neis:

- there are 4 sets of stairs, each with 4 steps
- this one set of stairs is in need of major repair or replacement; a handrail will also be required (nonconforming use)

Mr. Bhakta:

- is planning to put stairs on the side because cars are always backing up into them the way they are now
- they won't have time to get to the concrete work this year

Mr. Neis:

- they have done substantial improvements on this property as part of their long-term plan

Ms. Moermond:

- right now, the handrail is called out only on Unit #18

Legislative Hearing Officer recommends granting the owner until June 1, 2015 to bring the stairs into compliance and until November 15, 2014 to bring all other items into compliance.

**Referred to the City Council due back on 11/5/2014**

**Window Variances: Hearing Required**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 47     [RLH VBR 14-69](#)     Appeal of Mr. and Mrs. William Jansen to a Vacant Building Registration Notice at 610 SAINT ALBANS STREET NORTH.

**Sponsors:**        Thao

*Mr. and Mrs. William Jansen, owners, appeared.*

*Two items: 1) Vacant Building Fee; and 2) Excessive Consumption Fee Assessment*

*Mrs. Jansen:*

*- Inspector Matt Dornfeld came to the house yesterday*

*Inspector Rich Singerhouse:*

*- Mr. Dornfeld went out and took photos and said they'd be online; they were printed out for today's LH*

*Mrs. Jansen:*

*- the garage is done; it has no leaks; it is just about all cleaned out*  
*- house exterior has been completely painted except for some left on the 2nd level*  
*- the big hole near the front door has been taken care of; needs sheet rock*  
*- house is all cleaned up; nephew can come and get the rest of this things within a week*  
*- since all this has happened, she and her husband haven't been getting along very well; would like him to move there; he is alright with that*

*Ms. Moermond:*

*- wants to help them get through this*  
*- viewed photos with Mr. Singerhouse, Mr. Neis and Mrs. Jansen*  
*- things are pretty bad in this house; when it gets to this point, it needs to be code compliant, where the trades inspectors go thru and compile a list of things that need to be taken care of to make it code compliant; that doesn't mean that you have to make it code compliant before you sell it; it's a list of things that you would disclose to a purchaser; there are a lot of people out there who will buy Category 2 VBs*  
*- she can't make the VB stuff go away but she can give you some time on the VB fee*  
*- if you were to fix this house right now, more than likely, you would not get your money back out of it again in the sale*  
*- you can sell it tomorrow if you want but it will need to have the code compliant inspection done*  
*- she will recommend waiving the VB fee for 90 days, during which time, you can order the Code Compliance Inspection Report*  
*- after the 90 days are up and it doesn't look as though things will be taken care of in the near future,... if the VB fee isn't paid when it's billed, it will turn into a proposed tax assessment; in 90 days, they will re-bill it; then, they will re-bill it again and if not paid, it will be put onto your property tax (you will get a letter saying that they are proposing the fee for your taxes; if you want to, come down to City Hall to talk about it; you'd talk to Ms. Moermond at a LH; at that time, she will be able to cut it down and spread the payments over a number of years)*  
*- whether you are going to keep this house or sell it, you will need to get a Code Compliance Inspection, which will cost about \$500; if you didn't get the Code Compliance Inspection Report, you would need to get a Truth in Sale of Housing*

*Inspection Report (TISH), which will cost between \$300-\$400*

*- the inspectors will need to see the walls; the house will need to be cleaned out; walls empty*

*- Mr. Jansen will be able to get things out of the building and do repairs; however, you won't be able to take care of all the things that need to be done because there will be plumbing and electrical work that needs to be done, which requires permits pulled by licensed contractors and finalized by city inspectors*

*- feels very bad that their nephew has abused their trust and how this has taken a toll of their family*

*- will waive the VB fee for 3 months and give you a chance to figure things out; Mr. Dornfeld can work with you*

*- clean it out; get the Code Compliance Inspection Report; then, you can start to market it*

*- suggested that they talk with a professional realtor to find out what things would be the most effective in keeping the price up on the house*

*- that VB fee would be billed in the beginning of 2015; we'd deal with it in the spring/summer of 2015 and it would go onto the 2016 taxes*

*Legislative Hearing Officer recommends waiving the vacant building fee for 90 days.*

*Ms. Jansen:*

*- what do we do with the Excessive Consumption fee?*

*Ms. Moermond:*

*- will recommend that the assessment be deleted*

**Referred to the City Council due back on 11/5/2014**

**48      [RLH TA 14-604](#)**

**Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1502E, Assessment No. 158301 at 610 SAINT ALBANS STREET NORTH.**

**Sponsors:**      Thao

*Mr. and Mrs. William Jansen, owners, appeared.*

*Two items: 1) Vacant Building Fee; and 2) Excessive Consumption Fee Assessment*

*Mrs. Jansen:*

*- Inspector Matt Dornfeld came to the house yesterday*

*Inspector Rich Singerhouse:*

*- Mr. Dornfeld went out and took photos and said they'd be online; they were printed out for today's LH*

*Mrs. Jansen:*

*- the garage is done; it has no leaks; it is just about all cleaned out*

*- house exterior has been completely painted except for some left on the 2nd level*

*- the big hole near the front door has been taken care of; needs sheet rock*

*- house is all cleaned up; nephew can come and get the rest of this things within a week*

*- since all this has happened, she and her husband haven't been getting along very well; would like him to move there; he is alright with that*

*Ms. Moermond:*

*- wants to help them get through this*

*- viewed photos with Mr. Singerhouse, Mr. Neis and Mrs. Jansen*

- things are pretty bad in this house; when it gets to this point, it needs to be code compliant, where the trades inspectors go thru and compile a list of things that need to be taken care of to make it code compliant; that doesn't mean that you have to make it code compliant before you sell it; it's a list of things that you would disclose to a purchaser; there are a lot of people out there who will buy Category 2 VBs
- she can't make the VB stuff go away but she can give you some time on the VB fee
- if you were to fix this house right now, more than likely, you would not get your money back out of it again in the sale
- you can sell it tomorrow if you want but it will need to have the code compliant inspection done
- she will recommend waiving the VB fee for 90 days, during which time, you can order the Code Compliance Inspection Report
- after the 90 days are up and it doesn't look as though things will be taken care of in the near future,... if the VB fee isn't paid when it's billed, it will turn into a proposed tax assessment; in 90 days, they will re-bill it; then, they will re-bill it again and if not paid, it will be put onto your property tax (you will get a letter saying that they are proposing the fee for your taxes; if you want to, come down to City Hall to talk about it; you'd talk to Ms. Moermond at a LH; at that time, she will be able to cut it down and spread the payments over a number of years)
- whether you are going to keep this house or sell it, you will need to get a Code Compliance Inspection, which will cost about \$500; if you didn't get the Code Compliance Inspection Report, you would need to get a Truth in Sale of Housing Inspection Report (TISH), which will cost between \$300-\$400
- the inspectors will need to see the walls; the house will need to be cleaned out; walls empty
- Mr. Jansen will be able to move in and get some things; you won't, however, be able to take care of all the things that need to be done because there will be plumbing and electrical work that needs to be done, which requires permits pulled by licensed contractors and finalized by city inspectors
- feels very bad that their nephew has abused their trust and how this has taken a toll of their family
- will waive the VB fee for 3 months and give you a chance to figure things out; Mr. Dornfeld can work with you
- clean it out; get the Code Compliance Inspection Report; then, you can start to market it
- suggested that they talk with a professional realtor to find out what things would be the most effective in keeping the price up on the house
- that VB fee would be billed in the beginning of 2015; we'd deal with it in the spring/summer of 2015 and it would go onto the 2016 taxes

Legislative Hearing Officer recommends waiving the vacant building fee for 90 days.

Ms. Jansen:

- what do we do with the Excessive Consumption fee?

Ms. Moermond:

- will recommend that the assessment be deleted

**Referred to the City Council due back on 1/7/2015**

**49**      [RLH VBR 14-74](#)

Appeal of Jeff Swanson for Havenbrook Construction to a Vacant Building Registration Notice at 870 GALTIER STREET.

Sponsors:            Thao

Jeff Swanson, construction manager, Havenbrook Construction, appeared.

*Inspector Rich Singerhouse, Vacant Buildings:*

- received a referral on a Condemnation from the Fire Certificate of Occupancy Program Jul 28, 2014
- Inspector Kalis opened a Category 2 Vacant Building Aug 29, 2014
- there's no code compliance and no permits
- the VB fees are due

*Mr. Swanson:*

- they are working on the renovation
- they hope to start renting it very soon
- have not yet gotten the Code Compliance Inspection

*Ms. Moermond:*

- the house was Condemned Jul 28 for lack of water service and ordered Vacated one month out

*Mr. Swanson:*

- they purchased it in Jun 2014 and it's been vacant since then
- they are looking for an extension; they are just about ready to rent; their goal is to get it occupied

*Fire Inspector A. J. Neis:*

- was Condemned for water shut-off by Inspector Perrier
- letter was sent to Scott Beck, property manager, Roseville, MN
- building was placarded

*Ms. Moermond:*

- her job is to make sure the house is safe and habitable; then, it can be rented
- it went into the VB Program because of the Condemnation
- does not have a good sense of what's going on inside the building

*Mr. Swanson:*

- mostly cosmetic work was needed; nothing major

*Mr. Neis:*

- standard, straight-up referral from Water to restore water service (standard Condemnation)
- there are lots of permits on file dating back to 2013: permit for roof; permits go back to 2001
- complaint in 2014 for tarps and building materials

*Ms. Moermond:*

- before the house can be rented, it needs to have a Fire Certificate of Occupancy Inspection
- is concerned that there aren't any permits applied for the work that's been going on
- the inspector needs to go out to take a look
- if we can get a Fire C of O inspection in place within a given number of days, she can get him out of the VB Program

*Mr. Neis:*

- his staff's schedule is beyond terrible for the next 2 weeks
- he is looking at it on Google Maps, dated Aug 2014; looks pretty good: there's an egress window on the 2nd floor; the lawn's maintained; water is on; is not seeing any glaring exterior violations except for some address numbers

*Ms. Moermond:*

- will LAY this OVER for 1 month to Nov 4, 2014 to get a Fire inspector out there
- is concerned that maybe work has been covered up or sheet rocked in
- will keep it as a Category 2 VB; however, he can pull permits

**Laid Over to the Legislative Hearings due back on 11/4/2014**

**50**      [RLH VBR 14-75](#)

Appeal of Zin Hao Liang to a Vacant Building Registration Notice at 2346 SEVENTH STREET WEST. (Public hearing to be continued to November 19, 2014)

**Sponsors:**            Tolbert

*Laid over to October 21, 2014 Legislative Hearing.*

*Zin Hao Liang, owner, appeared.*

*Inspector Rich Singerhouse, Vacant Buildings:*

- building was Revoked on Aug 25, 2014
- Inspector Matt Dornfeld opened a Category 1 Vacant Building Aug 27, 2014
- it's vacant, secure and maintained
- the annual VB fees are due
- have had utilities, gas and water, shut off

*Mr. Liang:*

- his attorney sent a letter to his tenant about 4 months ago to come current with the rent; had 1-month deposit; after the letter was sent, tenant stopped paying the utility bills; keeps saying that he will pay whatever he owes; the lease also includes that he is supposed to pay for property tax but he hasn't paid for 1 1/2 years; so, Mr. Liang had to pay that himself last time, almost \$2800
- in Sep 2014, city sent him a letter that the grass was too tall; he sent his brother over there; his brother saw that the building was closed so, he put up a sign, "Closed for kitchen remodeling."
- he called tenant, who never answered the phone; so, he left a message saying, "You're lying to me."
- had to call a locksmith to open the door and there was nothing inside; tenant showed up at building and talked to Mr. Liang's brother and said that he tried to sell the business
- found out that tenant owes everyone money
- they finally got him out and they are trying to clean it up and rent it out again; lots of people want to rent that building and 3 people want to buy the building

*Ms. Moermond:*

- looking at the photos, it looks kind of tacky with the long weeds along the side of the building; it does look neglected

*Mr. Liang:*

- it's been empty since Aug and he needs to get all the utilities back up again so that he can show it to renters/buyers

*Ms. Moermond:*

- get it cleaned up, maintain the property and get all the utilities back on again

*Mr. Liang:*

- Xcel won't let him pay the tenant's bill; his attorney is trying to settle this with Xcel (over \$6,000)
- he called his attorney this a.m., he said that it would take about 2 weeks to get the accounts in his name, then court



- but he has waited 2 weeks already
- how can he clean with no power and no water

Ms. Moermond:

- she wants to see him get out of the VB Program
- will LAY this OVER for 2 weeks to see where you're at
- keep maintaining the building
- right now, this meets the definition of VB
- if it's maintained, cleaned out and the power and water back on, she can make this a preliminary file, which won't cost Mr. Liang anything

**Laid Over to the Legislative Hearings due back on 10/21/2014**

**51**      [RLH VBR 14-76](#)

Appeal of Leaetta Hough for Hough, LLC to a Vacant Building Registration Notice at 705 THIRD STREET EAST.

**Sponsors:**          Lantry

*Leaetta Hough, Hough LLC, owner, appeared.*

*John Flory, employee, Latino Economic Development Center, that has signed a lease for this building*

*Inspector Rich Singerhouse, Vacant Buildings:*

- Fire Certificate of Occupancy was Revoked/Vacant May 7, 2014
- Vacant Building file wasn't opened until Sep 16, 2014 as a Category 2

*Ms. Hough:*

- she did receive Notice; doesn't believe that the building is technically Vacant
- Latino Economic Dev Center signed a lease to do significant remodeling and occupy the building
- they are in the process of getting various funding
- the building has been without commercial use for a month but all of the utilities have been paid
- they have plans; intend to occupy the building Nov 1, 2014

*Fire Certificate of Occupancy:*

- was the last inspector in 2012
- was Revoked after city getting notice of water shut-off
- Inspector Imbertson went out and Revoked it as Vacant
- building has gone thru a lot of changes; has occupied many different tenants

*Ms. Hough:*

- it was an incubator kitchen in part of the building

*Mr. Neis:*

- there have been a lot of complaints on the property: ventilation issues; graffiti; a building warning not to issue any further permits; lots of trash, etc.
- re building warning: "Refer inquiries to \_\_\_\_\_, Environmental House Supervisor per email, 'I will not approve any new caterers at this location until we figure out what is really happening there.' dated Jun 21, 2013

*Ms. Hough:*

- that's all been cleaned up

*Mr. Flory:*

- signed lease May 7, 2014 that would begin on Oct 1, 2014 based upon financing; they applied for a STAR Grant/loan from the City of Saint Paul that took until about

*Aug 2014 for that to be approved: \$60,000 matched with \$100,000 worth of improvements*

- had kitchen contractors go thru the building in Jul; bids came in pretty high so, they're having some things re-bid*
- the lease beginning date was conditioned on financing approval from the STAR Program*
- they're waiting on updated proposals for contractors*
- hired a cleaning crew to spend a week or so*
- will put significant upgrades into the kitchen*
- will re-open it as an incubator kitchen*
- he went thru the building with the inspectors*
- the contracting work will be done in Nov; they will open in Jan 2015*
- they also have a partnership with Urban Oasis, a community based organization that was awarded a \$1M grant to develop local food production, educated low income people on the East Side on how to prepare better and more nutritious food with locally grown food*
- the kitchen will be very expensive*

*Ms. Moermond:*

- this building can't be occupied until you get the Fire Certificate of Occupancy; licenses won't be issued and work needs to be done under permit (would have been a requirement under the STAR Grant)*
- will look at this building again in a few months; the utilities are on and the property has been maintained*
- Legislative Hearing Officer recommends that this property be made a preliminary registered vacant building.*

**Referred to the City Council due back on 11/5/2014**