



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

Tuesday, February 24, 2015

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 15-6](#) Ordering the rehabilitation or removal of the structures at 684 SIMS AVENUE within fifteen (15) days after the March 4, 2015, City Council Public Hearing. (Amended to grant 180 days for repair or removal) (Public hearing continued from March 4)

Sponsors: Bostrom

Ms. Moermond:

- Robert Fluegel is not present nor has he called

Inspector Steve Magner, Vacant Buildings:

- read Mai Vang's letter of Feb 11, 2015 to Robert Fluegel, Trikken general contractor (attached)

- code compliance inspection fee was paid Jan 23, 2015; report has not yet been completed

- there have been no Summary Abatement Orders

Ms. Moermond:

- City Council Public Hearing Mar 4, 2015

- will recommend that Council order this building Removed within 15 days with no option for its rehabilitation

- there has been no commitment from ownership to take any action

Ms. Mai Vang:

- Katie at the front desk received a call from a woman named Lynh, who may be the mysterious daughter; she stated that she is the owner of 684 Sims Ave

Ms. Moermond:

- we heard from her representative, Mr. Fluegel on Feb 10 and haven't heard anymore from either of them

- sounds like she is planning to go to CCPH May 4, 2015

- we can give Lynh a call and follow-up with a letter

- will recommend removal of the building at that time

Remove the building within 15 days with no option for repair.

Follow-Up: The conditions have largely been met. We let owner know that we needed a little more information and then we should be able to wrap it up. See 3/6/15

Email attached to this record.. -MCM

Referred to the City Council due back on 3/4/2015

2 [RLH RR 14-28](#)

Ordering the rehabilitation or razing and removal of the structures at 353 WHEELLOCK PARKWAY WEST within fifteen (15) days after the February 4, 2015, City Council Public Hearing. (Public hearing held and closed; laid over from March 18) (Amended to grant 180 days.)

Sponsors: Brendmoen

Wendy Forster, owner, appeared.

Ms. Moermond:

- got an email from Michael Schleisman, attorney for Ocwen, who said that he has a personal emergency this morning and would not be able to be here; he would be attending in the role of an observer

Inspector Steve Magner, Vacant Buildings:

- update*
- read Mai Vang's letter of Feb 11, 2015 to Ms. Wendy Forster (attached)*
- Ms. Forster has a code compliance inspection report (Feb 9, 2015)*
- no performance deposit yet*

Ms. Forster:

- the electrician did not want to come out and put in a bid until he could have total access to the whole place; until last week, she still hadn't found out who put on the lock box; is waiting today for the lock box code; apparently, the mortgage company had it put on by Safeguard Properties; right now, there's no access to the garage; she should have the code by tomorrow and the electrician will meet her sister there then*
- she works from 10 am - 8 pm, which makes it difficult for her to schedule to have things done and to meet people*
- she was unable to get off work last Tue*
- her sister has \$30,000 invested*
- she and her sister want to go forward with the rehab; some good work has been done; demolition would be painful*
- she has proof of \$40,000 dedicated to the rehab; entered that documentation; they have another house for sale and will have those funds also*
- will sell the house after the rehab unless something changes*
- her sister will meet with the electrician this week after the lock box issue is resolved*
- there has not been a sheriff's sale*

Ms. Moermond:

- you can chop the bolt off your own door; they should not have a lockbox on it*

Ms. Forster:

- Safeguard Properties, 877/340-0060, sent a letter apologizing about the lockbox*
- will mail in the \$5,000 performance deposit tonight*

Mr. Magner:

- the city's estimated cost of the rehab exceeds \$100,000*
- the code compliance inspection report is large*
- explained that a bid doesn't necessarily mean that's the end cost*

Ms. Moermond:

- encouraged the Appellant and her sister to not make a final decision on this until they get some real bids and know their tipping point*

- will be happy to allow a little bit more time for Ms. Forster to get things together
 - advised that she consider hiring a general contractor, who would help with the timing issues
 - the lockbox needs to come off; get bids; develop a work plan
 - City Council Public Hearing Mar 4, 2015
 - if the performance deposit is posted, she will ask the City Council for a 2-week Layover (to Mar 18, 2015)
 - will look for some solid progress; talk to at least 1 general contractor
 - she anticipates the rehab will exceed \$40,000
 - back here at LH Mar 10, 2015 at 9 am
- Layover to March 10 LH and March 18, 2015 PH.

Referred to the City Council due back on 3/4/2015

3 [RLH OA 15-1](#)

Making recommendation to Ramsey County on the application of Robin Sook for repurchase of tax forfeited property at 998 SCHEFFER AVENUE.

Sponsors: Thune

No one appeared.

Inspector Steve Magner:

- summarized the long letter from Robin Sook, who wants to repurchase this house (attached)
- the rehab was half way done; then, there was a big fire and the insurance company was difficult; when she got the settlement, she wanted to finish the project
- at this time, she wants to get it all straightened out
- there have been 2 police calls in 10 years
- there's quite a bit of history on it
- the question is if she repurchases the property, is she able to pay off all the assessments

Ms. Moermond:

- will recommend allowing repurchase
- Approve the repurchase.

Referred to the City Council due back on 3/18/2015

10:30 a.m. Staff Reports

4 [SR 15-13](#)

Reviewing request of owner to have Council reconsider its Order to Remove or Repair the Structures at 872 SELBY AVENUE.

Sponsors: Thao

Appellants: James Logan Sr.; James A. Logan Jr.; Johnny Howard, neighbor and friend

Andy Barnett, Frogtown Rondo Home Fund

Also appearing: Eric Lang, who owns the property directly across the alley from 872 Selby Ave; he bought it in 1983; Elisa Lang, Eric's daughter, who manages her father's property; and Mai Chong Xiong, Legislative Aide to Councilmember Dai Thao

Ms. Moermond:

- today we are discussing whether or not there should be a resolution that would Stay implementation of the Order to Remove; currently, there's an active Order to Remove

the building that's been in place since 2012 and the failure to come into compliance that year; City Council passed a resolution in Jan of 2012 ordering the building Removed or Repaired within 6 months; the city has informally Stayed that Order

- *after a number of conversations with Mr. Logan in the Councilmember's Office and repeated promises that the work would be done in the time allotted; that hasn't happened; now, we're at the place where the city is done*
- *Mr. Barnett contacted the ward office and asked if this could be examined "one more time"*
- *it was the request of the Councilmember that we'd go thru this process one more time to figure out whether or not a resolution should go in front of CC saying, "Stop it. We're going to give him some more time to finish this."*
- *today, she will try to get that process started; expects that the conversation will take 2 sittings*
- *clearly, there's an Order to knock down this building right now*

Inspector Steve Magner, Vacant Buildings:

- *two-story wood frame single family dwelling on a lot of 9,148 sq.ft.*
- *been vacant since Nov 1, 1989*
- *current owner is James A Logan and Lora Etta Logan per Ramsey County records*
- *Oct 14, 2011, inspection of building conducted; list of deficiencies which constitute a nuisance condition was developed; photos taken*
- *Order to Abate a Nuisance Building was posted Oct 21, 2011; compliance Nov 21, 2011*
- *as of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code*
- *since the hearing process of Jan 10, 2012, City Council passed a resolution on Mar 27, 2012 granting 180 days: owners or interested/responsible parties shall repair the structure and correct all the deficiencies listed in the Order to Abate building and code compliance report to make the structure safe and code compliant or shall raze and remove the structure within 180 days after the City Council Public Hearing and provide progress reports every 6 weeks*
- *as of this date, we do not have a code compliance certificate*
- *Ms. Moermond and the building official, Steve Ubl, were at the building on Sat and went through it; she has looked at the code compliance inspection report that was amended by the building official; the notes in Red identify items completed or not*
- *we still do not have a rehabilitated structure*
- *this has been a Registered Vacant Building since Nov 1989*
- *the first Order to Remove or Repair this building was issued in the early 1990's and there have been at least 4 of those Orders; there has never been another property with this many Orders to Remove*

Ms. Moermond:

- *a big problem here is that the city is treating this property differently from others so, she needs to be 110% clear that there's going to be some special reason that this one's different, which has been something that people have been arguing and pushing about; that's why there have been multiple bites at the apple to get this thing done; neighborhood involvement has been the big deal with this situation, she believes*
- *she is looking at a pretty intense level of scrutiny as to why this situation has been allowed to continue when so many others haven't been allowed to continue*
- *today, we'll get the ball rolling*
- *she has sent a letter to Mr. Logan outlining where she is coming from on this and what she will be looking for in order for this to get another chance*
- *she needs something to be radically different from what it has been; she hears that there has been progress; she sees marginal progress; the building official had seen it in Jun and taken notes on it but he didn't feel that anything had been done since then*

to the point where he could cross it off the code compliance list

- she is concerned that Mr. Logan doesn't have the capacity to finish this job on his own in a timely fashion; it's been 15-16 years since the first Order to Remove and it's still not over the hill
- if this goes forward, Mr. Logan Sr cannot be the one doing it; she needs someone who can get this done; someone else needs to be in control; you haven't demonstrated the ability to do it
- she and the building official both think that the rehab is doable

James A. Logan Jr:

- it is still the plan for him (the son) to move into the house; he hasn't been involved so far; his family has been discussing this and he has come to the conclusion that he would like to live into the house, not rent it out; he wants to move in at the end of Jun 2015 when his lease is up, if that's still an option

Mr. Lang:

- he's watched this neighborhood change over the last 30 years; at times 872 Selby has been zero problems for them and at times it has been an extreme thorn in their side; last year, there were quite a few youth hanging around the back porch; he suspects that there's drug dealing going on; that activity went up and down, day by day; a few of his renters have been intimidated by the kids and have moved out of his property, specifically, because they're afraid to go home, which bothers him more than anything else; just an empty house would not bother him but when his renters are emotionally scared, it's hard for him; in good conscience, he cannot lie when prospective renters ask about the property across the alley
- if Mr. Logan Jr were to move in and park his police car in back of the building every day, he believes it would help
- he has owned rental property since 1972 and his educated guess is that if 872 Selby were completely rehabbed tomorrow and put on the market "for rent," the cash flow in that building would not sustain the real estate taxes and operating expenses; as a person who's invested in properties, he would not buy that property and try to make money at it; if it's owner-occupied, that would be a different story

Ms. Lang:

- it really came to a head last spring-summer, when they had a few tenants move out because of the loitering and hanging around on the back porch - men and women, all times of the day; she would call the police and the people would leave; they'd be back again an hour later; when the police did arrive quick enough, they slap their hands and be on their way; then, the renters call her again and maybe this time, they are in their own parking lot; also, there's trash everywhere; it became a huge nuisance; she's also seen that activity this winter; spring is coming soon and they'll all be back again; her concern is which renters will be moving because of this behavior over at 872 Selby

Mr. Barnett:

- appreciates hearing all the different perspectives
- his organization's interest in stabilization in the neighborhood - he doesn't have an argument with the fact that the property is in nuisance condition
- they are interested in figuring out if there's a way, short of losing the structure, to reach a reconciliation
- they have been working with many different housing agencies in the neighborhood to get Mr. Logan connected to rehab money assistance that would allow him to get the project back on track, completed and owner-occupied; the owner-occupancy would be tied to the loan; another way is to find a special program that would allow the rehab (possibility of an affordable housing developer buying it from Mr. Logan so that he doesn't have to do it himself)

- would like to see the nuisance condition abated without the loss of the building

Mr. Logan Jr:

- he and his brother have talked about this a lot and he, definitely would be the owner-occupant; he has 2 teenage boys, 16 and 14 (has shared custody) and they would be there part of the time
- he has lived in this community his whole life; his dad lives on Dayton Ave, about 5 blocks away; and has owned businesses in the area before
- apologized for the conditions that the neighbors have had to live with; no apartment renters should have to live with that; he guarantees that won't be the case when he lives there

Ms. Moermond:

- based on the complaints here, she talked to Commander Iovino and understands that there's an Officer Carter, who may have followed up with you; Officer Carter is the neighborhood beat cop there and had a chance to look over this situation; when she was there in Jun, there were a lot of teenagers hanging around; Mr. Logan Sr said that they were helping with the rehab but from her observations, it appeared that they were "hanging"

Mr. Logan Sr:

- kids "hang out" - those kids he talks to are the grandkids of former police officers and sheriffs; they are not doing anything wrong; if they aren't doing anything wrong, we should leave them alone; they posted a "No Trespassing Sign" just like the city told them to do; also contacted SPPD and they also suggested putting up a "Tow Zone" sign, which they did because people were leaving their vehicles there and the city would charge him \$400 every time they removed a vehicle; that way, it wouldn't cost him any money
- it was his mistake to allow the people on the corner, who have a restaurant, to set their garbage can on his property; now, all the trash is coming onto his property and he is charged a lot of money for the clean-up (for being a good neighbor)
- when he tells the kids to leave, they go to someone's else's property to hang out; he hollered the kids one time (he shouldn't have) but the next day when he came over, the windows upstairs on that back part was all blown out; the inspector called to tell him about it and told him to get it fixed right away; he did that; a while back, Ms. Moermond had told him to take the boards off the windows
- the kids weren't the ones who took out all the copper and they weren't the ones to come in and cut all the electrical wires twice after the building was fixed up; now, it's on the 3rd round of fix up
- he bought that house so that his kids would have a home when they came out of college; his youngest son and family are going to move in

Ms. Moermond:

- over the past 25 years, you haven't gotten that situation under control; everybody has stuff happen but it has to get fixed in a given time period
- understands that Mr. Logan Sr is having difficulty managing the property on his own; with Vacant Buildings, people break in and take copper, etc.
- all the things you say make sense; however, she can't say that over the course of 25 years, that explains why we are at this place right now; it's too much time to have passed without getting this problem solved

Mr. Logan Sr:

- he's gotten the bids; they already have a plumber; got a bid from the heating person; haven't yet got the bid from Booker
- the heating bid came in at \$25,000 and that's too high; he needs to seek other bids; a new guy said he could start the 2nd week of Feb but he said that he couldn't pull

the permit

Ms. Moermond:

- the reason you couldn't pull a permit is because the grant of time was given in 2012; it's now 2015 and it has expired

Mr. Logan Sr:

- but you told me to "Get it done" and I was in there with heaters trying to get it done; I never stopped working; the trouble was that he couldn't get any heating person in until that time; now, he has a contract with the heating guy

Mr. Howard:

- the problem with the kids hanging around can be fixed: 1) we will be more aggressive with SPPD; and 2) work more closely with the neighborhood council

Ms. Moermond:

- with expiration: you got a grant of time in Jan 2012 and that gave you 180 days to fix the place up; you had to post a Performance Deposit; do a Work Plan; show that you had money to do the rehab and that grant of time has long since expired
- now, we need a fresh Work Plan; start anew
- we will have to get all this taken care of at once, now

Mr. Logan Jr:

- all that is in the past; we can't deny where we're at now; to keep rehashing this doesn't do any of us any good
- we are trying to get it fixed
- he doesn't think there'd be a "kid" problem if it were not an vacant building; all the problems that dad has expressed are because it's an vacant building
- he plans to move into the house; it will be owner-occupied
- he doesn't see that any of the problems talked about will be a problem after he moves in
- they want to keep the property and he wants to live in it; the family has talked it over and that's the plan
- they just need to know how to make it happen for him to move in; let's figure out a way to do it in a timely manner; so that it's no longer an eye soar in the community

Ms. Moermond:

- but what the past has taught her is that we can't take the same kind of steps moving forward
- she is looking for someone other than Mr. Logan Sr to be in charge of things; a third party
- she is concerned about the taxes; a Confession of Judgment went thru the beginning of Jan for \$26,000
- that, plus the cost of the rehab on top of that
- Mr. Logan Sr owns the house outright, that's good
- she needs the them to come back with a plan on how this is going to happen
- she needs to see how a general contractor will take this from here to there and how are they going to be paid
- as far as the city is concerned, we need a different general manager on this rehab process; it can be Mr. Logan Sr's money but she needs to see a contract where someone else is in charge - the equivalent of a Power of Attorney for the reconstruction of this house

Mr. Magner:

- we are probably not going to get a lot done today
- suggested that the Legislative Hearing Officer have her staff send out a document

identifying, specifically, what the city is looking for; that can be articulated in a letter to the property owners; from there, they can decide how things get done (community partners; other resources, etc.)

- the owners and other involved need to see how the city wants things presented, specifically

Ms. Moermond:

- she will put together another letter outlining where we're at; some of the things to expect:

- Work Plan by a 3rd party being responsible for decision making

- money needs to be in a 3rd party's hands

- wants to see a legal agreement between Mr. Logan Sr and whomever that 3rd party is

- the city is clear that there needs to be a \$5,000 Performance Deposit, refundable upon completion of this project; there have been forfeited deposits on this because it hadn't been completed; the City Council, in Code, has every right and responsibility to ask for \$10,000 after repeated failures; she will ask them to consider \$5,000 if they can bring her what she is asking for

- first of all, she will be looking for the financing to complete the project

- you will need a new Code Compliance Inspection Report; this 2012 list is out-of-date; things have changed

- Ms. Vang provided them with an application for a Code Compliance Inspection and bring it back to DSI

- there are contractors out there who can walk thru and will be able to tell you what needs to be done

Mr. Magner:

- they can work off what hasn't been struck out on that list

Mr. Logan Jr:

- we just need to get a new list - the basis for a Work Plan

Ms. Moermond:

- put a lock box on your door with a combination so the trade inspectors can get in; put the combination for the lock box on the application form

Mr. Magner:

- maybe the best thing is for them to fill out the application and then, circle back around with the building official and actually a prescribed time for the 4 trades to meet; sounds like this one needs to be done as a group - the best way

- put down on the application to speak to the building official, Steve Ubl, about this; then, the inspector will get it and go talk to his boss and in the meantime, the Hearing Officer will send the building official an email that says, "Try to get your group altogether ASAP"

Ms. Moermond:

- encouraged them to talk with Mr. Barnett; he works with a local nonprofit; he doesn't have an interest in this, one way or another; he could also have references for you to talk to another organization that might be able to help you out

Mr. Lang:

- commented that he has done millions of dollars of rehab over the years and in his mind, the most important person in the rehab project is a general contractor; urges that he has a fair amount of experience with major rehabs of single family houses; should be a licensed general contractor; someone who sees the big picture and works with you everyday

Ms. Moermond:

- this was a tough message for her to deliver
- she doesn't want to see this place knocked down
- you can call with questions

Owner needs to meet the following conditions for a resolution granting stay of enforcement to be placed in front of the Council:

- 1) Apply this week for a new code compliance inspection report, making sure there is immediate and complete access to the building when trades inspectors are available, preferably by use of a lockbox;
- 2) Have project manager submit rehabilitation plans, consistent with the code compliance inspection report, for approval;
- 3) Have project manager submit for evidence of financing sufficient to complete the rehabilitation of the property consistent with the bids and work plans submitted;
- 4) submit financing plans consistent with the costs from bids, a work plan and/or sworn construction statement;
- 5) note that a \$5,000 - \$10,000 performance deposit will be required as the process moves forward; and
- 6) continue to keep current on property taxes as outlined in the confession of judgment and continuing annual tax payments

Laid Over to the Legislative Hearings due back on 4/14/2015

11:00 a.m. Hearings

Summary Abatement Orders

- 5 [RLH SAO 15-13](#) Appeal of Lawrence Jellison to a Vehicle Abatement Order at 292 CLARENCE STREET.

Sponsors: Lantry

Rescheduled per owner's request.

Laid Over to the Legislative Hearings due back on 3/3/2015

- 6 [RLH SAO 15-11](#) Appeal of Timothy McCormick to a Summary Abatement Order at 1191 REANEY AVENUE.

Sponsors: Lantry

At the Feb 17 hearing, legislative hearing officer recommended that owner let the excessive consumption go through as a proposed tax assessment.

Withdrawn

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 7 [RLH VO 15-3](#) Appeal of Anna Ovsyannikova to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 670 FIFTH STREET EAST.

Sponsors: Lantry

Anna Ovsyannikova, owner, and Lisa Hollingsworth, SMRLS, on behalf of tenant, LaVelle Collaso, appeared.

Ms. Moermond:

- recapped: we have an Emergency ETRA and Ms. Ovsyannikova is concerned that tenants have caused damage and are hesitant to do some of the repairs
- the photos show landlord responsibility, as well, if not all

Fire Inspector Leanna Shaff:

- another inspection was done the next morning, Feb 18, 2015
- noted 10 items still left; a good portion are exterior issues
- have a window glass (new); missing damaged screens
- most of interior items had been completed the night before

Ms. Moermond:

- on the last set of Orders, some of these things had existed for a long time
- to get re-instated, everything needed to be done
- have a hand full of things

Ms. Ovsyannikova:

- basically, we did everything inside; the only thing the inspector found inside was a broken window, which is a new thing
- her contractors had been there 5 days in a row, working constantly
- everything was done
- the night before, her husband asked to re-check the property just to make sure it all was done and he found 3 new things: 2 they were able to fix immediately but because the broken glass is from a custom window, one can't do it overnight; so, he put plexiglass over the top so that no one gets cut
- she needs HPC approval on the exterior; otherwise, it would all be done already, too
- the garage is not included in the lease; she forwarded the lease to Mai Vang
- the soffit and fascia on the house is all that's left on the exterior; the contractor said he cannot do it until the permit is approved; however, they just needed to attach a small piece; the licensed contractor stopped by to do that
- last item: Xcel gas meter (fwd to Mai): can't be done until spring per Xcel; it's concrete

Ms. Hollingsworth:

- she had been waiting for a date for the ETRA hearing
- she just served the homeowner with it; the date is Mar 2 at 10 am
- some of these issues can be addressed then
- she is happy with the progress that's been made; seems like the vast majority left is either exterior or garage

Ms. Moermond:

- would like to see the owner get a permit application into the HPC (has already been submitted; you have to wait for a hearing)
- the concrete issues, painting, exterior - get thru that process and be finished by Jun 1, 2015
- windows and screens have done in 2 weeks
- will recommend your appeal is granted if you meet those conditions

Ms. Hollingsworth:

- she is fine with that
- with her client's permission, she would be willing to kickt the ETRA hearing out 2 weeks until after the 2 week deadline; if the things are addressed within that time

period, we could dismiss the ETRA because their objective has been met

Ms. Ovsyannikova:

- apologized for the delay; the reason was because 2014 was a completely disastrous year

Ms. Moermond:

- if new things crop up, they are appealable, as well

- City Council Public Hearing Mar 18, 2015

Grant the appeal if the following conditions are met by the deadlines provided:

Item 2 (missing or damaged screens/storm windows) - grant until March 10, 2015;

Item 9 (window glass) - grant until March 10, 2015; and

Exterior weather sensitive items - grant until June 1, 2015

Referred to the City Council due back on 3/18/2015

8 [RLH VO 15-6](#)

Appeal of Lavelle Collaso by Lisa Hollingsworth to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 670 FIFTH STREET EAST.

Sponsors: Lantry

Anna Ovsyannikova, owner, and Lisa Hollingsworth, SMRLS, on behalf of tenant, LaVelle Collaso, appeared.

Ms. Moermond:

- recapped: we have an Emergency ETRA and Ms. Ovsyannikova is concerned that tenants have caused damage and are hesitant to do some of the repairs

- the photos show landlord responsibility, as well, if not all

Fire Inspector Leanna Shaff:

- another inspection was done the next morning, Feb 18, 2015

- noted 10 items still left; a good portion are exterior issues

- have a window glass (new); missing damaged screens

- most of interior items had been completed the night before

Ms. Moermond:

- on the last set of Orders, some of these things had existed for a long time

- to get re-instated, everything needed to be done

- have a hand full of things

Ms. Ovsyannikova:

- basically, we did everything inside; the only thing the inspector found inside was a broken window, which is a new thing

- her contractors had been there 5 days in a row, working constantly

- everything was done

- the night before, her husband asked to re-check the property just to make sure it all was done and he found 3 new things: 2 they were able to fix immediately but because the broken glass is from a custom window, one can't do it overnight; so, he put plexiglass over the top so that no one gets cut

- she needs HPC approval on the exterior; otherwise, it would all be done already, too

- the garage is not included in the lease; she forwarded the lease to Mai Vang

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- last item: Xcel gas meter (fwd to Mai): can't be done until spring per Xcel; it's

concrete

Ms. Hollingsworth:

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- some of these issues can be addressed then
- she is happy with the progress that's been made; seems like the vast majority left is either exterior or garage

Ms. Moermond:

- would like to see the owner get a permit application into the HPC (has already been submitted; you have to wait for a hearing)
- the concrete issues, painting, exterior - get thru that process and be finished by Jun 1, 2015
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- will recommend your appeal is granted if you meet those conditions

Ms. Hollingsworth:

- she is fine with that
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Ms. Ovsyannikova:

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Ms. Moermond:

- if new things crop up, they are appealable, as well
- City Council Public Hearing Mar 18, 2015

Grant the appeal if the following conditions are met by the deadlines provided:

Item 2 (missing or damaged screens/storm windows) - grant until March 10, 2015;

Item 9 (window glass) - grant until March 10, 2015; and

Exterior weather sensitive items - grant until June 1, 2015

Referred to the City Council due back on 3/18/2015

9 [RLH VO 15-8](#)

Appeal of Tabatha Givens to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1349 WINCHELL STREET.

Sponsors: Bostrom

Appellants: Marylou Law (owner) and Tabatha Givens (granddaughter), appeared

DSI Staff: Paula Seeley

LH Staff: Marcia Moermond, Mai Vang, Jean Birkholz

Ms. Moermond:

- questioned whether Ms. Givens lives there.

Ms. Givens:

- every weekend.

Ms. Seeley:

- our office rec'd a complt on Jan 26 re illegal boarding house and possible drugs and guns.

- was told by Force Unit to go and another complt about a pitbull that bit a post office

guy. Another agency was there and reported it.

- went out there on Feb 6 with animal controls and police and found lot of illegal bedrooms in basement, propane tanks, egress patio door to rear outside was blocked, heaters in all rooms, most of them combustible.

-Sent a correction notice for smoke and CO detectors and to remove mattresses and all items in the bedrooms. They did that but one man was arrested. I went back and give Nancy longer time. Nancy is Marylou's daughter.

-Illegal padlock on Cheryl's bedroom. Wrote a correction notice.

-she made appt with Nancy for Feb 19 with Officer Koehnen, 12 smoke detectors were all beeping, some batteries missing and some not working, propane tanks in basement, waste line in the laundry room, excessive amount of extension cords, large holes in basement walls, door trim missing, door hanging off the door, rear entry door blocked with debris, vent not legal, basement ceiling missing sheet rock, floor drain, patio door broken, open waste pipe, egress, smoke detectors, ext cords, back yard needs a lot of work.

Ms. Moermond:

-questions whether Nancy's last name is also Givens

-whether she lives there

Ms. Law:

-Trumble lives there, Ms. Givens on the weekends and she doesn't live there

- in 2000, her mother blt the house, handicapped accesible for herself. she lost her husband and she moved in because her father was deceased also. They have the house blt, at that time, it was side by side. They put a mother-in-law apt in just in case. She lived right with her mother and give her care for 3 years. The basement was not used for anything. The builder put in a kitchen, bathroom, room with egress windows, living room with sliding glass door, etc. She didn't know how house got passed.

-Recently, they put one bed over by the egress window and another one off to another room open up into that room. As of right now, she decided they are not using the basement as a living quarter. There is no need to have it be as now. Nancy is upstairs, the boys are upstairs, Cheryl is upstairs and she is my other daughter. She didn't give up the home and has not purchased a home. She lost my mom and son 3 weeks apart and she had to get away. She has an older daughter up north so she went up there and she was taken in but she does come home.

-The repairs as far as the batteries are done.

-Some of things to be repaired were that way when the hosue was built. We didn't change the structure. There was a cupboard in the kitchen. Everything all clean out. My daughter drew on the wall for my son after he passed.

-There were two notices that weren't alike at all.

Ms. Seeley:

- she couldn't make her way around the house in the first Order.

Ms. Law:

-she took her mom's furniture out but held onto everything. Her stuff are still there

-don't want to lose the house.

-The smoke detectors are fixed.

-Space heaters are gone

-There is no excuse for ext cords to be in the basement.

-Yrs ago when mom and she were there, it was set up for a mother-in-law apt so her granddaughter and her bf stay there and added an addition in the back to look like a porch. They put in a walk through and a sitting room.

-That has been addressed

-there are getting rid of all mattresses, all debris, the shed in the backyard. All those

are being done.

Ms. Seeley:

-Correction notice was for fire hazard due to propane tanks, egress was blocked by debris.

Ms. Law:

- the fire pit in the backyard was made by her contractor but they will take it out.

Ms. Seeley:

-questioned who broke all the sheetrock?

-exposed all the fire hazard

Ms. Moermond:

-questioned if Nancy is likely to do this again.

Ms. Law:

-her daughter Cheryl was assaulted..on life support for 10 days and through this she has an adult and child mode. When she gets a lot of stress, she falls, has slow speeches and she can't be left alone.

-Nancy is bipolar and if she misses her meds, she will punch holes in the wall.

-Cheryl lives there, too and they don't get along but love each other as well.

-Nancy is looking for a place to move.

-has kids who are 9 and 7.

-Cheryl has no kids.

-There were a lot of traffic (people coming and going) and the traffic has to be stopped. A lot of police calls and cars.

Ms. Givens:

-the other people there are usually, Cheryl, Nancy, the kids, Nate, my BF and her.

Ms. Law:

- Since Cheryl's stroke, this Mike Dananski (police officer) has come to the house and used her for drug busts and setups.

-she is very vulnerable and very impulsive

- she has taken Cheryl's cell phone to an attorney, the guy is very evasive, got her to do things for dangerous people

-he was threatening her and shouldn't be involved in this

Ms. Seeley:

-Jerry was sleeping downstairs

Ms. Law:

-it was Nate

-No, that was Eric, a friend of her son, who was downstairs

-he comes to the house and check on them

Ms. Seeley:

- the padlock can't be there. She can have a single lock

-it's fire hazard

-couldn't get access to Cheryl's room

-The other issue is record with Ramsey County – mom lives in Askov so it should be C of O.

(Seeley showed City photos and describing to Ms. Law and Ms. Givens what needs to be done)

Ms. Seeley:

-there was a dog there that was mean

Ms. Moermond:

-questioned whether Cheryl has a social worker

-questioned whether Nancy has one as well

Ms. Law:

-yes, she has but she has drug problems. She was in counseling and drug treatment programs. They are aware of this, too. They don't like it.

-Nancy has a social worker but retired and is looking for another one.

Ms. Moermond:

-People with health issues, sometimes, self medicated themselves with drugs for their mental health stuff

-good medication is the way to go right

-concern about them when they don't like each other and there are kids involved.

-concern about the people coming and going as well,

-questioned if the kids are reasonably well behaved.

Ms. Law:

-they are very well behaved.

-they bring Nancy back on track when Nancy and Cheryl fight.

Ms. Givens:

-20 minutes away from this property.

-she goes home at night and stays there on the weekends

-sleep with the boys in their room or in Cheryl's room

Ms. Moermond:

-the inspector has not had access to the whole place. The electrical stuff are very concerning especially when extension cords being used.

It's dangerous. If there are not enough sockets, need power strips.

- she would like to see progress and provide access into spaces Ms. Seeley has not seen.

Ms. Seeley:

- asked when she can be there

-cannot have the dogs there

-concern about people moving back in, especially the boyfriend

-wants to recheck on a monthly basis with a cop

Ms. Moermond:

-need to know Cheryl's social worker so that the social worker can be involved and do check-ins, too.

-contact Ms. Seeley to give her the social worker information

-layover to March 3rd.

A new inspection to be made on Friday, February 27 at 9:30 a.m.; will conduct hearing for new list on March 3. Owner to provide social worker contact information to inspector.

Laid Over to the Legislative Hearings due back on 3/3/2015

1:30 p.m. Hearings

Fire Certificates of Occupancy**10 RLH FCO 15-22** Appeal of Steve Shea to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 849 SEVENTH STREET EAST.

Sponsors: Lantry

Stephen Shea, owner, appeared.

Fire Inspector Leanna Shaff:

- *Fire Certificate of Occupancy Inspection*
- *process started by Inspector Sean Westenhofer and the 1st letter went out Sep 2014*
- *initial inspection took place by Inspector Westenhofer in Nov 2014*
- *have had 2 inspections; the file was transferred to Inspector Brian Schmidt*
- *3 are being appealed, one of which he will take care of*
- *#6 - in building 847, Unit 3: no window or approved vent in bathroom*
- *#7 - in building 847: removing plastics rom basement ceiling (Mr. Shea will do that)*
- *#12 in building 849, north corridor: provide and maintain fire rated corridor construction with approved materials and methods (2 hrs minimum rating); it's missing fire protections along the corridor walls and ceiling; her understanding from Inspector Smith is that it's just stud walls (no rock or insulation)*
- *in his appeal, Mr. Shea says that this was done back in 2006; the permit from 2006 was pulled for a remodel valued at \$25,000; this permit was closed due to inactivity*

Mr. Shea:

- *he had a big insurance claim; a flat roof got plugged and collapsed the building in the back; so, the back of the building was torn off in 2006; Viking Construction pulled permits for over \$160,000 put into the back of the building; the apartments are in the 2-story part of the building; just the 2-story part is heated;*
- *when they got the final approval for that claim and signed off the certificate (bldg had been condemned because of the roof); it was all fire-rated from the basement all the way up thru the 2-story part of the bldg - a very extensive process with a building of this age; and the back of the building is cold storage (2006 photo); it was a big process to build walls in the basement and bring an old building to be used for different things; the 1-story part of the building is unheated; Steve Magner was very diligent and he though himself fortunate to have someone as good as Viking Construction because there were a lot of little penetration areas that they had to really get correct; he thinks that the corridor the inspector is looking at is the back entrance to cold storage that met the requirements back then*

Ms. Shaff:

- *she has the permit for that work up on her screen and that permit was never finaled; there are a lot of Orders but it's not complete; Steve Ubl was the building inspector on it*

Mr. Shea:

- *they had their final inspection*
- *went thru a lot with their insurance company, the contractor and the city because a lot of issues came into play that we weren't expecting; it was also right when Hurricane Katrina happened and all the fire people left and went down to New Orleans; we had to yell and scream to get them to come back and take care of our bldg*
- *if those permits weren't finaled, it's because someone didn't sign-off on things that they wanted approved*

- he can't imagine that there were things that weren't finaled

Ms. Shaff:

- it was called a "minor remodel" - no structural work

Mr. Shea:

- we have 3 addresses there: 845 is the chiropractor; 847 was hold-up by Viking Construction for that demolition; and 849 is the bakery
- the bakery permits were taken out right at that same time

Ms. Shaff:

- Inspector Schmidt says that where the loading docks are, it's not sheet-rocked at all; had Mr. Shea point things out on a photo

Mr. Shea:

- when you get to the 2-story part of the basement, where all the furnaces are and all the utilities are - that has all been fire-rocked; and everything outside of there is cold storage and does not need to be sheet-rocked because it was warehouse space; nothing's changed there since then but they spent an awful long time in the basement to get it fire-rated in the heated 2-story part of the bldg
- both the chiropractor and bakery are still there; we also have 4 small apartments upstairs; he uses the basement/warehouse space for some of his own use; the bakery has some cold storage space there for some of their deliveries

Mr. Shaff:

- roofing permit for \$18,630 expired; the city automatically closes (expires) them when there's no activity for 1 year (Walker Roofing did the roof thru Viking Construction)
- warehouse permit for \$85,000 was also automatically closed 3-2-07 (Viking Construction)
- Steve Ubl was out there a lot

Mr. Shea:

- he was at so many meetings about that building, he can't imagine permits not being finaled
- it came down to fire penetration in the basement - minor little areas; Viking was so good working with Steve Magner and Mr. Ubl; he believes they were finaled on everything because they were paid; at the same time, the bakery was going in - there was a lot of activity
- this is his first Certificate of Occupancy Inspection in quite a few years
- he takes a lot of pride in that building, having had it for 30 years
- he has Walker Roofing's warranty; they are a big flat roof company; a subcontractor of Viking
- the exhaust fans have been grandfathered-in
- he has 1 1/2 yrs left on Walker's warranty
- wondering why the inspector is calling out the exhaust fans after all these years; they are in the interior of the building and there's no way to vent them out the side; they would have to go thru the roof, which is really high over there and he would have to have Walker Roofing do it; there are at least 2 apts it would go thru and it would pretty cost prohibitive to do that
- if he could get a 2-year extension on that, they he could have a contractor of his choice do the work; he could have Capital City Heating do it for way less but then the warranty on the roof would be voided
- wondering why it can't be grandfathered-in because it's a very old building
- respectfully, the inspector suggested that he might want to appeal; he didn't know about the appeal process or he would have appealed many things

- he would be appreciative if that could be reviewed at the next inspection and he questions whether things like that could be considered grandfathered in; but if not, could he be given a 2-yr extension when the warranty is up and he could hire his own contractor and he would not lose the warranty that's still in place
- he paid off Viking Mar 6, 2006 after, what he thought, was the last thing the city needed to approve/final
- open permits are news to him today

Ms. Shaff:

- the permit for the bakery is also still open

Ms. Moermond:

- it's the responsibility of the contractor who pulls the permit to make sure that they also get finaled; somehow, that's going to need to be handled involving Viking Construction and maybe they want to pull in Walker - they need to follow-thru with what they should have done in the first place; actually, they should not have involved the insurance company for final payment until they had finished the project - finaled permits
- because of all this, we need to involve the inspector, who is now the building official because Viking didn't follow thru on it's role; Viking does a lot of business in St. Paul and they know what the expectations are; perhaps, there was a miscommunication; at any rate, that loop needs to be closed
- she will call Mr. Ubl and tell him to expect a call from Viking or you; that should resolve this

Mr. Shea:

- he will call Viking and let them know that there's open permits and it needs to be resolved

Ms. Moermond:

- let's give this a little time to transpire; how about a month to have the permits finaled/closed
- will Lay this Over for a month; hopefully, we won't need any more hearings; if we do, there's a time available for you
- if the permits are signed off, we don't need time to talk

Mr. Shea:

- if there's a reason why he needs to fire-rock the back corridor; it's not a big expense

Ms. Shaff:

- the last inspection was in 2009 and you were an A-rated inspection (Inspector Thomas); the inspection before that was in 2005; on before that also 2005- looks like it got Revoked (no show; cancellation)
- 1st ltr on the current inspection went out middle of Sep, 2014; Oct 3, an email was received from owner asking to re-schedule

Mr. Shea:

- he had some health issues last fall but when the inspector came back, we went from one inspector to another
- in 2005, we had issues with inspector no shows; he had to call the Fire Chief on it
- he is done with everything on the list except for the exhaust fans and the back corridor; and he's made the bakery aware of the cleaning that they need to take care of

Ms. Moermond:

- LAYOVER for 1 month to figure out the fire-rocking and to have Mr. Ubl talk with

Viking

Layover for STAFF REPORT, if necessary. Owner needs to have Viking Construction call to final the building permit(s).

Laid Over to the Legislative Hearings due back on 3/24/2015

2:30 p.m. Hearings

Vacant Building Registrations

- 11** [RLH VBR 15-11](#) Appeal of Joseph T. Maxey to a Vacant Building Registration Renewal Notice at 1487 MACKUBIN STREET.

Sponsors: Brendmoen

Joseph T. Maxey, Maxey Homes LLC, owner, appeared.

Inspector Matt Dornfeld, Vacant Buildings:

- *Mike Kalas opened a Category 1 Vacant Building Feb 27, 2014*
- *water was shut-off; snow/ice on sidewalk; front door was open to entry at the time of inspection*
- *NationStar Mortgage Co LLC, Louisville, TX, was the owner at the time*
- *from researching Ramsey CO records, he was unable to find when the ownership changed*
- *VB fee 2014-2015 was assessed*
- *here today to talk about the 2015-2016 VB fee*
- *building and electrical permits are open*
- *plumbing, mechanical and warm air permits have been finalized*
- *it has been maintained and is in good standing with Inspector Kalas at this time*

Mr. Maxey:

- *ownership changed Oct 31, 2014*
- *have rehabbed the house*
- *put in all new mechanicals, plumbing, electrical*
- *waiting on a final electrical inspection tomorrow*
- *then, he'll get the final bldg inspection and he will be putting the house on the market*
- *later this week, he'll have a TISH inspection report, too*

Ms. Moermond:

- *turn-key property*
- *someone could move in tomorrow and the VB fee would go away*
- *how soon can we get it occupied?*

Mr. Maxey:

- *it's a beautiful house; things went very quickly*
- *asked for a 2-month extension*

Ms. Moermond:

- *to be on the safe side, she will recommend granting a 90-day extension*
- *if you don't make the 90 days, you will be re-billed and then, it will go to assessment; you can appeal that assessment and come talk with her again; then, she would prorate it*
- *Waive the VB fee for 90 days.*

Referred to the City Council due back on 3/18/2015

12 [RLH VBR 15-12](#) Appeal of Liphрино Alcenat to a Vacant Building Registration Fee at 1258 RICE STREET.

Sponsors: Brendmoen

Liphрино Alcenat, owner, appeared.

Inspector Matt Dornfeld, Vacant Buildings:

- *Code Enforcement Inspector opened a Category 2 Vacant Building Feb 9, 2009*
- *documented: 2 story single family home; front rear doors secure; lock box on rear door; property vacant; broken windows; torn screens; dilapidated eaves; peeling paint; and broken hand rails on house; detached 2-car garage secure and in good condition; public sidewalk has not been shoveled - is very icy*
- *at that time, Code Inspector Mike Kalas opened a Cat 2 VB Feb 9, 2009*
- *received 2009-10 VB fees via check; 2011-14 VB fees went to tax assessment*
- *today, we're discussing the 2015-16 VB fee*
- *since 2009, had numerous trash, snow/ice and tall grass/weeds complaints with multiple Work Orders issued*
- *when VB file was opened, Deutsche Bank was the owner, per Ramsey Co; they sold property to Walter Webb in late 2009'*
- *current owner purchase the house on Feb 22, 2013 according to Ramsey Co*
- *no Sale Review*
- *no permits on file currently*
- *no Code Compliance Inspection Report*
- *the foreclosure was purchased, then re-sold illegally to the Appellant (without a sale review)*
- *had 3 tall grass/weeds complaints in 2014; only 1 snow/ice this season*

Mr. Alcenat:

- *Mr. Webb did not explain to him what all was involved with getting a place like this; at the time, his wife had passed and he needed the money*
- *he did not know that he needed a sale review or anything else*
- *they went to the county and paid about \$7,000 in back taxes*
- *he was trying to get financed from a bank to turn it over - get it fixed but little did he know that no bank wanted to get involved with a vacant property*
- *finally, they put the paperwork together to get it the financing to get it fixed*
- *he ordered the Code Compliance Inspection Report; once he gets the report, he'll be able to start the rehab*
- *since he took over, he shoveled snow, cut the grass, maintained the place*
- *the complaints were under the previous owner*
- *he bought the house outright; paperwork was done at the Ramsey Co*
- *his job takes him out of state; sometimes it's 2 months before he comes back*
- *needs more time on the VB fee*
- *contractor estimates that it'll take 4-5 months to rehab; a lot needs to be done*
- *he hired a licensed plumber and a licensed electrician ready to go*

Ms. Moermond:

- *Rice Street is prominent; the grass needs to be cut more regularly*
 - *will ask the City Council to allow you to pull permits*
 - *you don't have to pay the bill now; wait for it to go to a proposed assessment; then we can talk about it at the assessment hearing about how much to decrease it*
 - *you will need to get the Code Compliance inspection report first*
- Deny the appeal; but allow permits to be pulled.*

Referred to the City Council due back on 3/18/2015

13 [RLH VO 15-7](#)

Appeal of Sonya Martinez and Adam Krueger to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1625 UPPER AFTON ROAD, UNIT A.

Sponsors: Lantry

Adam Murray, owner-occupant, appeared along with occupants Sonya Martinez and Luis Miranda.

Inspector Matt Dornfeld, Vacant Buildings:

- was called by SPPD FORCE Unit on Feb 18, 2015 at 6:30 pm to assist the FORCE Unit with housing code issues at this address
- according to SPPD, multiple arrests were made at the scene (details included in police report)
- at the time of his inspection, he asked a Caucasian male, who claimed to be an occupant for consent to inspect the house and was granted permission to do so
- there was an extremely large American Bulldog that helped him with this inspection
- violations he found: inoperable smoke detectors; stored flammables and clutter near mechanical closet in basement; clutter filled rooms, which constituted a fire hazard; defective electrical outlets, fixtures and switch plates; illegal use of extension cords and power strips; illegal electrical wiring -undersized and improperly supported plates and spliced; he was not sure whether or not the basement was being rented but there was a mattress in the basement (illegal sleeping space and he did not see an egress); exterior - a wash machine or dryer out in front of the property
- Code Inspector James Hoffman is following up on a complaint of the exterior: dog feces; trailers in the rear; he issued 4 excessive consumption notices for the storing of the trailers and dog feces
- due to the violations he documented, he Condemned the house at the time of inspection and gave the tenants 24 hours to vacate; at the time, it was approximately 15 degrees below zero and the tenants claimed that they had nowhere to go, so, SPPD agreed and he allowed them to stay for 24 hours but they were to cease use of all of the electrical devices (he unplugged many things himself)
- Ms. Martinez called him the following morning (she was not at the house at the time of the inspection) and stated that she had been living there and had questions as to what she should do now; Mr. Dornfeld advised her to either vacate or file this appeal

Mr. Murray:

- he owns the property and has known Ms. Martinez and Mr. Miranda for a long time; he was helping them out with a place to stay; he made sure that it was safe
- there are actually 3 egress windows downstairs
- there was 1 electrical wire that he disconnected (the only hazard)
- the dog is not his; it's Luis'
- Sonya and Luis plan to move out mid-Mar; that's why there was excess trash in the yard - getting rid of some of the stuff in the basement
- his goal is to finish the construction downstairs; he plans to get inspectors to make sure the electrical and plumbing are up to code before they put on the sheetrock; he has a contractor in place and has the financial backing for a home improvement loan
- the house will be sold within a couple months
- when he bought the house, it was 900 sq.ft; he had a professional framer come down and do the framing, although, some of the work has to be changed in the basement
- there's really nothing too dangerous; some of the outlet covers are missing in some of the bedrooms
- he thinks that someone took the battery out of the smoke detector the day before inspection
- the fire marshall inspected the property and passed it; advised him that the always needs to be batteries in the smoke detectors

- there was a problem with the garage door opener and they switched the batteries
- he and his girlfriend live upstairs; Ms. Martinez and Mr. Miranda live downstairs
- the electrical panel was a fire hazard but now, it's not
- the fire marshal didn't say anything to him about the extension cords and the power strips

Mr. Dornfeld:

- he is not a certified electrician but he knows when there is a problem and there was definitely a problem here: cords hanging through the ceilings; Christmas lights, etc.
- houses get Condemned for people's safety

Mr. Murray:

- these things we fixed to make sure it is safe
- he owns the house outright and he would hate to see it Condemned, especially when everyone is moving out anyway
- he fixed the junction box; the cover was just laying underneath it; an electrician was working this but he just ran a line but didn't finish it; he hadn't pulled a permit, so Mr. Murray didn't have him finish the work; there's no hot wires, etc. dangling

Mr. Miranda:

- he owns the dog and he is guilty of negligence; he works all the time
- he did clean up all the feces in the back yard
- he replaced the cover for the breaker box
- he unplugged things; and took out the fan
- if they had time, he is sure that they could get everything up to code but they have nowhere to go
- his fiancée and I move out anywhere; Mr. Murray plans to fix up the house to sell
- is asking for a few weeks time for them to get everything up to code
- a friend of his is a licensed electrician and he's going to contact him; part of this was his responsibility, too

Ms. Moermond:

- the photos show a lot of troubling electrical issues
- looks like a fire hazard on top of a fire hazard

Mr. Murray:

- it wasn't as messy as the photos show but the inspector took those pictures after SPPD trashed the house executing a search warrant; they were all in jail but are not being charged
- the house was under construction, though, and he hadn't finished many things; all the photos make it look worse than it was

Mr. Miranda:

- it looks worse than it is
- the outlets were not connected
- some wires weren't connected; some wires were capped; some not
- the problem really was that the electrical job was never completed

Mr. Murray:

- he had a financial situation; they had been staying at his girlfriend's grandmother's house when he first bought this property and all this work was getting done to it; then, grandma passed away and he could not afford the rent there plus the work going on here, so, they decided to move here and he had some people help him work on the house
- he bought the house Feb 18 and he wanted to sell it that next spring but they ended up going a whole year more; now, he's hoping to sell it this spring

Ms. Martinez:

- they were staying with Mr. Murray temporarily; all the boxes were downstairs because they were in the process of packing things; organizing and throwing things away - moving things out
- they have plans to continue to move within about 1 month
- because Mr. Murray was kind enough to help them out, they are more than willing to help him take care of what needs to be done; they are responsible for everything that's down in the basement

Mr. Martinez:

- added that he has a rental storage unit now and has moved a lot of stuff
- they are getting a house with a yard for their dog
- he works in construction - building and housing
- his friend the electrician is just waiting to get the work to come over; it will probably take him from a half day to a day to finish

A 5-minute recess was taken for LH officer to look over documents.

Ms. Moermond:

- she needs to make a decision about the short term and about the longer term
- her concerns:
 - is this just electrical work that needs to be done or is there other things that need to be concerned about?
 - is it OK for you guys to live there while this work is going on?
 - ultimately, if you are vacated, what needs to happen for someone to be able to move back in again?
- she thinks that there is enough wrong, electrically, that is isn't safe to live there and it's not safe for the neighboring properties
- the electricity needs to be shut-off and fixed properly; is concerned about the electric heat shut-off and damage to the pipes; something needs to be in place to keep the pipes from freezing
- her recommendation to City Council is to order this property vacated and that it can't be re-occupied until it's code compliant; so, there will need to be a code compliance inspection outlining those things that need to be done; it can be re-occupied and then you'll need to pull permits in order to do that work; that code compliance inspection report can also be used as a disclosure report of what's going on if you want to sell it "as is" instead of a Truth in Sale of Housing Inspection (TISH)

Mr. Murray:

- there was an offer to buy the place yesterday but he wasn't there at the time

Mr. Dornfeld:

- currently, this is not a registered vacant building; it has not entered the VB Program yet

Ms. Moermond:

- the place should be vacated by close of business Thu, Feb 26, 2015
- she doesn't know what else is there
- she sees a lot of stuff; she doesn't know where the floors begin and end
- the electrical is dangerous and you'll need a licensed electrician in there
- she does not know about the openings in the walls;
- there hasn't been adequate care taken; lack of safety precaution

Mr. Murray:

- it would be easy to bring this back up to code

Mr. Moermond:

- if the Council approves what she is recommending, you will need to order a Code Compliance Inspection Report, which would give you a list of things that need to be done; they won't want to put you in the VB Program until this matter is resolved but for now, the house needs to be emptied; by Thu, after Mr. Dornfeld's shift, it should be emptied

- from 8 am to 8 pm, you can be in the house moving things, doing repairs, cleaning, etc. but you should not be in there living: watching TV; cooking; sleeping; hanging out; etc.

- you can live there for a couple more days

- this is a Condemnation

- the inspection report will cost nearly \$500; the repairs will cost the most; being in the VB Program will cost an annual fee but just being Condemned won't cost you money

- regardless, she would want an inspector to go into the house to enumerate problems

Grant until Thursday, February 26, 2015 to vacate the property.

Referred to the City Council due back on 3/4/2015