



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, September 15, 2015

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 15-468](#) Deleting the Appealed Special Tax Assessment for Property at 947 BARCLAY STREET (File No. J1512A1, Assessment No. 158534).
- Sponsors:** Bostrom
- Gholam Kian, caretaker, appeared.*
- Inspector Paula Seeley:*
-Summary Abatement Order sent May 13; compliance May 18; re-checked May 22
-work done May 27 for a cost of \$160 + \$160 service charge = \$320
-no returned mail
-Category 2 Vacant Building opened Jan 13, 2012
-referred by Fire
- Mr. Kian:*
-we won quite a few properties in St. Paul and they have a schedule for cutting grass; perhaps, we missed this one but we cut regularly
- Ms. Seeley:*
-there is no VIDEO tape available
- Ms. Moermond:*
-will recommend this assessment be deleted; staff were not prepared to talk about it
- Delete the assessment.*
- Referred to the City Council due back on 10/7/2015 (Public hearing was September 16; however, missed on Agenda so it will be deleted for separate consideration to go to Public hearing on 10/7/15)**
- 2 [RLH TA 15-323](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1509, Assessment No. 158816 at 400 BATES AVENUE. (Public hearing continued from July 15.) (Amended to File No. VB1509A, Assessment No. 158829) (Amended to delete the assessment)
- Sponsors:** Finney

Delete the assessment. ???????

Ms. Moermond:

-her understanding is that Jim Seeger was out there
-let's lay this over for 6 weeks
-at the Oct 7 CCPH, I will ask for a Layover

Referred to the City Council due back on 10/7/2015

- 3 [RLH TA 15-473](#) Deleting the Appealed Special Tax Assessment for Property at 183 CESAR CHAVEZ STREET (File No. J1601P; Assessment No. 168400).

Sponsors: Thune

Delete the assessment; waiver on file.

Referred to the City Council due back on 1/6/2016

- 4 [RLH TA 15-343](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1509A2, Assessment No. 158530 at 1016 IGLEHART AVENUE. (To be referred back to Legislative Hearing on September 15 and City Council Public Hearing on October 21, 2015)

Sponsors: Thao

Doug Kopp, Coppess Ventures, LLC, owner, appeared.

Inspector Paula Seeley:

-Summary Abatement Order to remove snow/ice from public sidewalk
-sent Feb 18, 2015; compliance: 48 hours
-work done Feb 26, 2015
-compacted snow; no attempt to clear last several snowfalls

-sent to Occupant and Coppess Ventures, LLC, PO Box 4478, St. Paul MN
-no returned mail

Mr. Kopp:

-apologized for taking up time here; there's no excuse for dealing with it
-thanked Mai for getting him back on schedule
-up-down duplex; he lives upstairs; tenants downstairs; he works long hours as a nurse and he's not around a lot and he doesn't check his mail a lot; it's the tenants responsibility to clear the walk; he provides the salt; it's in their lease; they ended up moving out and not paying their rent
-it was too late when he got the Notice
-he put it in the lease for a reason

VIDEO - snow packed on sidewalk; city removed; salt & sanded

Ms. Moermond:

-will recommend approval of the assessment
-Feb didn't have a lot of snowfall; came in half-inch increments; 2 inches on Feb 3 but otherwise, not much

Approve the assessment.

Referred to the City Council due back on 10/21/2015

- 5 [RLH TA 15-470](#) Ratifying the Appealed Special Tax Assessment for Property at 1016 IGLEHART AVENUE (File No. J1510B, Assessment No. 158110, Amended to File No. J1510B1, Assessment No. 158112).

Sponsors: Thao

Doug Kopp, Coppes Ventures LLC, owner, appeared.

Inspector Paula Seeley:

*-board-up done Apr 24, 2015 for a cost of \$261.95 + \$160 service charge = \$421.95
-St. Paul Fire Dept - duplex - that's all it says*

Mr. Kopp:

*-this was confusing to him; he came home from work and found the front door had been kicked in, the jam split and his door ruined; somebody shot a half dozen 3" starhead screws in the door; he couldn't get it open
-a friend told him of a person who had just been kicked out of a sober house who needed a place to stay; he signed an agreement with her: can't drink, etc....well, she was drinking; she was coming home and stumbled on the steps and split her head open, bleeding a lot; a neighbor across the street saw her and came over to assist her but she said that she'd be OK, so he left; after he thought about it, he became concerned and came back, knocked on the door but there was no answer so, he called 911 and they kicked in the door; he called her and she confessed that she had been drinking so, he kicked her out immediately
-he had to get special bits just to get those screws out and his door is ruined
-he has \$600 - \$700 worth of expenses and now because he let someone in who needed help; now, he had another assessment, too.*

Ms. Moermond:

-this should be covered by insurance; the ambulance fee should also go forward to the insurance company

Mr. Kopp:

-there's always a big deductible

Ms. Moermond:

*-City Council Public Hearing Oct 21, 2015
-will see if we can get a police report; the medic report is covered by HIPPA so they can't explain too much of what happened
-will recommend approval of this assessment but she will do a little more work on this one; will try to get police report and if you think the city should be responsible on this, there are claim forms in Room 310*

Approve the assessment, but will see if there is a police report.

9/17/15: Per SPFD, the medics that responded to the property needed to force the door open in order to gain access to the occupant who was needing assistance. Board-up was called to secure that door. Approve the assessment.

Referred to the City Council due back on 10/21/2015

- 6 [RLH TA 15-455](#) Ratifying the Appealed Special Tax Assessment for Property at 918 JORDAN AVENUE (Assessment Roll has as 912 JORDAN AVENUE) (File No. J1601A, Assessment No. 168500).

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 1/6/2016

- 7 [RLH TA 15-467](#) Ratifying the Appealed Special Tax Assessment for Property at 918 JORDAN AVENUE (Assessment Roll has as 912 JORDAN AVENUE) (File No. J1601B, Assessment No. 168100).

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 1/6/2016

- 8 **RLH TA 15-475** Ratifying the Appealed Special Tax Assessment for Property at 1577 MARION STREET (File No. J1601A, Assessment No. 168500).

Sponsors: Brendmoen

Thang Nguyen appeared.

Inspector Paula Seeley:

-Summary Abatement Order issued Jun 22, 2015 for tall grass&weeds; compliance Jun 26; re-checked Jun 26

-work done Jun 30, 2015 for a cost of \$160 + \$160 service charge = \$320

-no returned mail

-sent to Bich Lien Nguyen, P O Box 2341, Mpls MN; and Bich Lien Nguyen, 6057 2nd Ave S, Mpls, MN

Mr. Nguyen:

-received only 1 letter; did not receive any Order

-lives at 6057 2nd Ave S, Mpls

-goes to this property once or twice a month

-why is the cost so much?

Ms. Moermond:

-the Notice went to both addresses

-photos shows that your lawn was 6" taller than your neighbor's mowed lawn

Ms. Seeley:

-just noticed that the electric/gas was shut off yesterday

Fire Supervisor Leanna Shaff:

-typically, when we get noticed of gas/elect shut-offs, it has been shut-off already for 30 days

-we'll Condemn it right away for lack of basic facilities

Ms. Moermond:

-will recommend the Council approves this

-you need to have basic facilities or the building is Condemned; you need to have water, sewer, gas, electric

Approve the assessment.

Referred to the City Council due back on 1/6/2016

- 9 [RLH TA 15-471](#) Deleting the Appealed Special Tax Assessment for Property at 698 MINNEHAHA AVENUE EAST (File No. J1601B, Assessment No. 168100).

Sponsors: Finney

Delete the assessment; HRA arranged payment to Respro separate from City.

Referred to the City Council due back on 1/6/2016

- 10 **RLH TA 15-469** Deleting the Appealed Special Tax Assessment for Property at 1025 MINNEHAHA AVENUE EAST (File No. J1601A, Assessment No. 168500).

Sponsors: Finney

Jon Jorgensen appeared on behalf of Robert Stein.

Inspector Paula Seeley:

- Summary Abatement Order sent Jun 9; compliance Jun 15; re-checked Jun 29

-work done Jun 30 for a cost of \$410 + \$160 service charge = \$570 (garbage fee \$260; RV fee \$100; Mattress fee \$50; Code Enforcement fee \$120)

-no returned mail

-sent to RDS Investments Co, 245 Maria Ave E, STe \$, W. St. Paul; and Occupant

-bold letters: Mattress, multiple TVs and misc rubbish/garbage next to garage in alley

Mr. Jorgensen:

-called in inspector the same day that they got up to leave for work to let him know that all the stuff was lined up in the driveway and at the abandoned yard next door; someone decided that they could use the back of the garage and the abandoned yard next door as a dumping site; this was the seconded time this happened; the first time it happened, he called and asked what he could do and the inspector said that he'd send somebody out to take care of it; the only reason this didn't get cleaned up for 2 more weeks after he was supposed to clean it up is because he was contacting the inspector the whole time and he kept saying that they were coming out to take care of it; that I shouldn't have to be responsible for somebody dumping on my property and the abandoned yard; he told him that he had to drag a couch into his yard because it was laying half out in the alley; he was in contact with the inspector 4 times (don't know if the messages were recorded); he told me that I would not be charged even after your people came out

-the landlord, Mr. Stein called me and said that I owed him \$600 because it wasn't his stuff

-we're confused because he told me that this was all taken care of and I wouldn't get charged; I don't feel that I should be responsible for others' dumping in my yard and the abandoned yard next door

Ms. Moermond:

-are there any notes in the system that would verify this?

Ms. Seeley:

-have been out here previously on illegal dumping 2 times: once prior to this and again after this

-have sent it to Public Works

Mr. Jorgensen:

-it's a great spot for dumping; house next door was abandoned and the people across

the alley are dope heads to their windows are all papered up with stuff; no one can see anything back there; and if you're out there at 1 am, it's all dark; and we've been dumped on multiple times

-Lionel told him to drag it into the abandoned yard but if I get caught doing that, I'm in trouble for illegal dumping, so I just stacked it all up against the garage; I didn't know what else to do

VIDEO - spring, loose & scattered, etc. TVs, mattresses

Mr. Jorgensen:

-there were multiple dressers there before; TVs were all smashed, too -some scrap guy tore out copper, etc.

-the garage does have electricity

Ms. Moermond:

-it might work to have a light put on the garage to illuminate the alley a little as a deterrent

Mr. Jorgensen:

-he put up a camera (I moved out on the 1st because people have been dumping back there since he moved in a year ago); every since he put up the camera and signs posted, "No dumping" - he has had nothing dumped there

Ms. Moermond:

-steps have been taken to rectify this

-it's clearly a case of illegal dumping

-sounds like you were trying to work with the inspector

-will recommend this be deleted

Delete the assessment.

Referred to the City Council due back on 1/6/2016

11 RLH TA 15-448

Ratifying the Appealed Special Tax Assessment for Property at 75 ORANGE AVENUE WEST (File No. J1601A, Assessment No. 168500).

Sponsors: Brendmoen

Farhiye Abdulkadir, tenant, appeared; Somali interpreter, Sala Warsame, also appeared.

Ms. Moermond:

-this is a clean-up assessment

-this is a kind of a different case; typically, we're talking with the owner; the owner is responsible for paying property taxes; it looks like the owner wants you to be responsible for this assessment - maybe that's in your lease

Ms. Abdulkadir:

-she did not receive a Notice for this; owner did not share it with me, if she did get it -she said that she will cut the grass when the rain stops

Inspector Paula Seeley:

-Summary Abatement Order issued Jun 22, 2015 for tall grass & weeds; compliance Jun 26; re-checked Jun 26

-work done Jun 30, 2015 for a cost of \$160 + \$160 service charge = \$320

-no returned mail

-sent to Christina Duong and Danny Vo, 7675 Nature Path, Woodbury, MN

VIDEO - city cut the grass

Ms. Abdulkadir:

-the owner's responsible

Ms. Moermond:

-the city is responsible to provide Notice to the owner of record to take care of the problem; in this case, it went to Christina Duong and not to you and she didn't share it with you

-Ms. Vang figured it out: the Notice was addressed to the Occupant but had no address listed underneath it and that's wrong but you need to work this out with the owner; she has a private contract with the owner to lease the property

Ms. Abdulkadir:

-she even asked the owner if she had gotten this Notice and she said, "No"

Ms. Moermond:

-take all of those materials and share them with the owner; use it to talk about the fact that you should not be responsible for paying because you didn't receive a Notice; it should have come from the owner because only she received the Notice

-will recommend approval; it's the owner's responsibility; she didn't follow through

-the bill is written to the owner

-will approve divided over 2 years

Approve and spread over 2 years.

Referred to the City Council due back on 1/6/2016

- 12 [RLH TA 15-464](#) Deleting the Appealed Special Tax Assessment for Property at 1126 ROSS AVENUE (File No. J1601P, Assessment No.168400).

Sponsors: Bostrom

Delete the assessment; waiver on file.

Referred to the City Council due back on 1/6/2016

- 13 **RLH TA 15-465** Ratifying the Appealed Special Tax Assessment for Property at 893 RUSSELL STREET (File No. CRT1601, Assessment No. 168200).

Sponsors: Bostrom

Shah Vang, S & R Consulting LLC, owner, appeared.

Fire Supervisor Leanna Shaff:

-Fire Certificate of Occupancy inspection cost: \$340 + \$155 service charge = \$495

-gold card returned by property owner Shah Vang

-single family dwelling

-sent appointment letters: 10/30/13 and 12/04/13

-Corrections Orders sent: 1/03/14

-Revocation Letter sent: 1/27/14 and Vacant Building file was opened; VB file closed on 3/11/14

-another appointment letter sent 4/01/15; compliance 4/17/15

-billing letters sent: 4/29 and 5/29/15

-all letters/Orders in 2013 and 2014 were sent to the previous owner, Chong Vang,

1633 Sherwood Ave, St. Paul

-letters/billings from 2015 were sent to S & R Consulting, 71 Maple Ln, Little Canada

Mr. Vang:

-bought the property May 12, 2014; has copy of Warranty Deed; bought it from Ms. Vang, it was owner occupied

-doesn't know why he's responsible for all those fees back in 2013

-is not disputing the initial fee of \$196 that was done Apr 27, 2015

Ms. Shaff:

-they recommended it be a Category 2 VB; it was changed to a Cat 1 VB; however, the fee is still the same

Mr. Vang:

-when I bought it, she was still living in the property (owner-occupied)

-it she hadn't been living there, it would have been a Cat 2

-took ownership May 12, 2014 and there was no indication that it was a VB

Ms. Moermond:

-she is not tracking what Mr. Vang is saying

Ms. Shaff:

-the Fire C of O was Revoked; and vacated the building; it was a Cat 2 VB

Ms. Moermond:

-when the C of O is Revoked, it goes to the VB Program; then, it got out of the VB

Mr. Vang:

-he was not the owner at that time but according to Ms. Vang, she had been occupying the building; she homesteaded the property

Ms. Moermond:

-if a building is a Cat 2 VB, you need to go through Mr. Reid Soley

-if it's a Cat 1 VB, and it sounds like this was a Cat 1 when you bought it, it's turnkey, and you would not have to go through that process

Mr. Vang:

-when we bought it, the TISH didn't say anything about a Cat 1 or Cat 2 classification on it at all

Ms. Moermond:

-is looking at the C of O bill and there were a number of trips out there but she didn't see an appeal that this should not be in the Fire C of O Program

-look to see if the previous owner appealed that; she did not appeal it

Mr. Vang:

-I should not be responsible for when she owned it

Ms. Moermond:

-the benefit of having a Certificate of Occupancy accrues to the property, not to the person; that's why the fees are eligible to be assessed the same way a VB fee would be eligible to be assessed

-this building doesn't appear to have been owner-occupied during the period in question

-will recommend approval of this assessment (the no entry fee has already been removed)

Approve the assessment or \$495.

Referred to the City Council due back on 1/6/2016

- 14 [RLH TA 15-463](#) Deleting the Appealed Special Tax Assessment for Property at 1478 SHERBURNE AVENUE (File No. J1601P, Assessment No. 168400).

Sponsors: Stark

Delete the assessment; waiver on file.

Referred to the City Council due back on 1/6/2016

- 15 **RLH TA 15-466** Ratifying the Appealed Special Tax Assessment for Property at 1220 SYLVAN STREET (File No. J1601E, Assessment No. 168300).

Sponsors: Brendmoen

Owner missed hearing and rescheduled to October 6.

Laid Over to the Legislative Hearings due back on 10/6/2015

Staff Reports

- 16 [RLH TA 15-419](#) Ratifying the Appealed Special Tax Assessment for Property at 1950 SEVENTH STREET WEST (File No. J1512A, Assessment No. 158527). (Legislative Hearing September 15, 2015)

Sponsors: Thune

Mohamed Moustafa, owner, appeared, along with another man.

Ms. Moermond:

-we here to look at the VIDEO

-one of you were out of town at the time

VIDEO - Parks cleaned up: freezers; metal racks; grease bucket next to trash container; TV; broken glass; garbage can full of garbage; cardboard; loose and scattered trash; etc.

Other man with Mr. Moustafa:

-Mr. Moustafa was out of town and he had the keys for the garage

-that stuff was working and was to be put back into the garage

Ms. Moermond:

-looks like the city sent the Order Apr 23 and put the deadline of Apr 30 on it; that gave you 7 days to deal with it

-none of this stuff looks new; looks as though it had been there for a while

-doesn't know why she should be recommending that this gets deleted if you guys received Notice

Other man:

-we did get the Notice to move the trailer

Ms. Moermond:

-this Order talks about the freezers, etc; freezers and refrigerators should not be left outside because children can get trapped in them

Mr. Moustafa:

-the restaurant is still running

Ms. Moermond:

-the assessment is for a total of \$614

-she will recommend approval divided over 5 years

-staff will retain the VIDEO for the City Council Public Hearing tomorrow, Sep 16, 2015 at 5:30 pm

Approve and spread over 5 years.

Referred to the City Council due back on 9/16/2015

17 [RLH TA 15-476](#)

Ratifying the Appealed Special Tax Assessment for Property at 1746 SIMS AVENUE (File No. J1601A, Assessment No.168500).

Sponsors: Bostrom

SEE VIDEO ONLY

VIDEO - bags of garbage; rubbish, trask; 23 tires; city cleaned it up

Ms. Moermond:

-Public Works is trying to move to a policy where owners are exclusively responsible for these dumping items; it's too expensive; think we should re-visit that issue

Inspector Paula Seeley:

-we are still going to send them over; it's not right that poor old lady gets dumped on; she has an immaculate house.... .. we can't hold victims of crime responsible

Ms. Moermond:

-right

-history: it looks like there hasn't been anything since 2013

Ms. Seeley:

-history: it's a Vacant Building; Summary Abatement Order Sep 10, 2013; SA on Jun 12, 2015; and Aug 11, 2015: tall grass & weeds

-letter went to Geleta Megerssa, 8619 Oregon Ave N, Mpls; and Occupant

-Inspector Nelmark - no notes ??

Ms. Moermond:

-stuck with this: he bought it Nov 2014; this dumping occurred in Jun 2015; tall grass & weeds Order in Aug

-is troubled that he didn't take care of the tires or talk to anyone about it; he says that he did but there's no notes in the file to confirm that

-will recommend reducing the assessment to \$223

Reduce from \$446 to \$223.

Referred to the City Council due back on 1/6/2016

Special Tax Assessments - Rolls

- 18 **RLH AR 15-72** Ratifying Collection of Fire Certificate of Occupancy fees billed during April 20 to May 8, 2015. (File No. CRT1601, Assessment No. 168200)
Sponsors: Stark

 Referred to the City Council due back on 1/6/2016
- 19 **RLH AR 15-73** Ratifying Graffiti Removal services during May 21 to July 3, 2015. (File No. J1601P, Assessment No. 168400)
Sponsors: Stark

 Referred to the City Council due back on 1/6/2016
- 20 **RLH AR 15-74** Ratifying Boarding and/or Securing services during June 2015. (File No. J1601B, Assessment No. 168100)
Sponsors: Stark

 Referred to the City Council due back on 1/6/2016

11:00 a.m. Hearings

Summary Abatement Orders (NONE)

Correction Orders (NONE)

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 21 [RLH VO 15-50](#) Appeal of Charlotte Mahone and Casey Borrego to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 649-651 IVY AVENUE EAST. (To be referred back to November 10 Legislative Hearing and November 18, 2015 Public Hearing)
Sponsors: Bostrom

 Tanya Green, sister of Appellant Charlotte Mahone, and Wallace Kent, her sister's nurse, appeared.

 Ms. Green:
 -Charlotte just had a liver transplant; she's doing chemo and is feeling terrible
 -Charlotte is the tenant at 649 Ivy Ave East
 -Ms. Green lives in Chicago

 Ms. Moermond:
 -all of this would be the responsibility of the owner
 -asked if her sister wants to stay in this house; (Ms. Green: yes)

 Fire Inspector Leanna Shaff:

-Revocation of the Fire Certificate of Occupancy / Order to Vacate
-this process started in Apr 2015
-we have an illegal 3rd unit; it's supposed to be a duplex
-sheriff's sale was in Nov 2014
-the property went through foreclosure; the bank is in charge but isn't doing anything
-we have a property that has 13 deficiencies, one of which is not providing access to all of the building
-a big issue for them is that for this property, they have no one that's managing the property; no responsible party; now, the bank owns it but the bank can't be a management company; so, typically, if they do anything at all, they will hire somebody to manage the property

Ms. Green:

-according to the new tenant who lives upstairs, everything that's upstairs on that list has been fixed
-Charlotte lives downstairs
-someone is coming to collect rent
-the old landlord did not stop collecting rent from her sister until Jul 2015; this month, a gentleman came and said that he was collecting rent; he said that the bank now owns the house but he's managing the property
-someone does come out to cut the grass and picks up the garbage

Mr. Kent:

-Charlotte didn't have any hot water; so, Ms. Green had him and another guy purchase a hot water heater from Menard's

Ms. Green:

-they had called Jerome Koslowski, the previous owner, and he said that it wasn't his responsibility
-when the gentleman came to collect the rent for this month, we told him about the hot water tank but he didn't fix the problem so, she provided the money for the hot water tank
-we didn't know what was going on; that's why she came here for Charlotte

Ms. Shaff:

-there've been quite a few complaints and they've been getting worse
-the city is providing garbage service
-there was a water shut-off

Mr. Kent:

-when he's there, he goes out and picks up trash, etc.
-he's there between 8-12 hours a day for medications, bath, meals, etc; she takes 20+ pills 4 times a day

Ms. Green:

-her sister paid for her garbage through Mr. Koslowski (it was in his name); also, she paid half of the water bill; the tenant upstairs paid the other half
-her sister also is schizophrenic and suicidal; she has round the clock care; she has 2 nurses
-she has no social worker but they were told that she needed one; it's because she had been up here by herself and didn't know what to do; she didn't have any help; once Ms. Green got wind of some of the the things that were going on with her, she decided to come back and forth to try to straighten things out; she's been taken advantage of; the nurse before him was taking Charlotte's money, etc.
-she's 48 years old on SSI; has stage 4 kidney disease

Ms. Moermond:

*-this is a really bad situation; we're not sure who's collecting the rent or even if they have the authority to do so; it could be a thief
-she doesn't know who's mowing the lawn
-things are going to have to change in order for Ms. Mahone to be able to continue to live there; those things that need to change are beyond your control; no one is stepping forward as a landlord right now or as a responsible party*

Ms. Green:

-the tenant from upstairs, Casey Borregio, was supposed to be here today

Mr. Kent:

-the water is on; all utilities are on; she's responsible for paying for the utilities

Ms. Shaff:

-there's no permit on the installation of the water heater

Ms. Moermond:

*-right now, without someone stepping up as a landlord or property manager, we need an exit strategy for your sister
-this place will need to be vacated; we need to decide when*

Ms. Green:

*-the cost of her rent here is \$800/month
-will not be easy to find another place at that rent level
-she has a lot of doctors
-the University of MN - Fairview Hospital is where she went
-she does not have a legal guardian; she can make decisions but she is very gullible*

Ms. Moermond:

*-will call the House Calls Program (help people in housing crisis) to see if they can help with finding her a place to live
-she doesn't have a social worker
-it's troubling that she's gullible*

Ms. Green:

*-Charlotte was up here on holiday and got sick while she was up here; her liver had failed; it was about 2 years ago
-after the hospital, she was in a rehabilitation center; someone came by; they were going to try to find her housing*

Ms. Moermond:

*-Charlotte should not continue to give that person rent money; not unless he's with a property management company and has proof of that; they need to contact the city if they are taking care of the property
-without anyone to talk to, now, we need to empty the place and she wants to make sure that all the resources she has (doctors, nurses, people from the county, etc.) are aware of what's going on with her; hopefully, they will have ideas of how to manage this situation
-we need a legal guardian
-she will call House Calls ahead of time and let them know what's going on and about an Adult Protective Services worker because she is vulnerable
-the county has many different kinds specialized social workers
-she doesn't want to put her out if she has nowhere to land; she wants to get the resources in place so that there's a smooth transition
-thinking about giving her a month to 6 weeks to vacate*

Mr. Kent:

-he doesn't think that's possible; he's been making calls for the last 6-8 weeks to find somewhere and either they're too expensive or there's no room, etc; she will wind up on the street

Ms. Moermond:

-asked Mr. Kent and Ms. Green to sign in and give all their contact information
-she and Inspector Shaff will follow through with these phone calls; you will talk to House Calls and they may want to meet with you and your sister; you will continue to look for places to live; check with the social worker from the hospital about assisted living

-look into legal aid: Southern Minnesota Regional Legal Services (SMRLS), 651/222-5863; explain her situation to them; she may need a legal guardian - someone who works with disabled folks (her income has to be low enough for their services; get her an attorney, legal representative while she gets this sorted out
-will lay this over for 1 week

Laid Over to the Legislative Hearings due back on 9/22/2015

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 22 [RLH FCO 15-229](#) Appeal of Tammy and Jeff Weinzetl to a Fire Certificate of Occupancy Inspection Correction Notice at 1717 BURNS AVENUE.

Sponsors: Finney

Jeff Weinzetl, owner, appeared.

Fire Inspector Leanna Shaff:

-Fire Certificate of Occupancy Inspection conducted Aug 12, 2015 by Inspector Laura Huseby

-Item #1 driveway is being appealed; inspector is requiring that it be repaired or replaced; the asphalt is cracked and missing pieces

-Item #stucco exterior; some areas of stucco are deteriorating; it's cracked on east side & missing pieces on north side

-photos

-has been inspected previously

-1st letter went out Jul 20; Aug 12 inspection; compliance date of Sep 24, 2015

Mr. Weinzetl:

-is looking for more time on the stucco and driveway; has gotten bids on both items; big projects and large cost

-is not against the improvements

-he thought the stucco would be a \$4,000 job but it turned into a \$14,000 job; yesterday, they tore off some near the cracks and noticed some rot; they think the problem is coming from the window on top; just this contractor in place and they anticipate it will be done in 2-3 weeks

-his intent was to do half the driveway before the weather and the cost become a factor; he may get part of it sealed before winter; he has all the materials and it ready to go; anticipates it will be done by the end of Oct 2015; the other half of the driveway he'd like an extension to next year

Ms. Moermond:

-viewed the photos of the driveway & stucco together; she asked how long the driveway is

Mr Weinzetl:

-explained what he was doing

-driveway goes back about 3 car lengths

-scaffolding was set up yesterday on the east side of stuccoed wall

-all the repair work in front and on the other side of the house is done; just the east side is left

-they are taking out the window and putting flashing around the window; either he will be putting that window back or replacing it with a new window; should be done in 3 weeks

Ms. Shaff:

-doesn't see any permits in the file for the work that's being done; (Mr. Weinzetl: will talk with contractor today about that)

Ms. Moermond

-deadline for getting stucco and half of the driveway done: Nov 1, 2015

-grant extension to Jun 1, 2016 for the other half of driveway

Grant until November 1, 2015 for the stucco exterior of building, cracked on east side and missing pieces on north side and half of the asphalt driveway; grant until June 1, 2016 for the other half of the driveway to come into compliance.

Referred to the City Council due back on 10/21/2015

23 [RLH FCO
15-196](#)

**Appeal of Bill & Jennifer Wall to a Fire Certificate of Occupancy
Correction Notice at 794 CASE AVENUE**

Sponsors: Bostrom

Bill Wall, one of the owners of BJS Properties Inc

(Urban Enterprises is no longer their management company)

Mai Vang gave him the Fire Certificate of Occupancy registration form to fill out; note the contact person moving forward

Inspector Leanna Shaff:

-photos in file

-Fire Certificate of Occupancy Correction Notice; inspection conducted by Inspector James Thomas on Jul 27, 2015

-21 items on list; 2 are being appealed

-#2 - owners think that the building does not need repainting

-#16 - owners question the need for all windows in a room to be openable

Mr. Wall:

-they will get the exterior painting taken care of; they've gotten bids and need an extension; should be done within the next 30-45 days, weather permitting

-the person who represented them at the inspection quit 3 days later because of that inspection; wants to find out what happened at that inspection

-they are from Owatonna; they are finding someone else to manage

-needs clarification on the windows; they've done some work on some of the windows; can't see why each window in every room has to be openable; each room has a fire-required egress window; they are a couple windows that they have securely closed so that tenants don't open them up in the winter and let all the heat out; the fire code talks about every window having to be openable except for fixed

windows and these are fixed windows, although the fire code doesn't define "fixed windows"

Ms. Shaff:

-one of their charges is to enforce the Property Maintenance Code
-the building code talks about light & ventilation requirements

Mr. Wall:

-but the code only requires 1 window per room to be available for ventilation/egress

Ms. Shaff:

-actually, the building code and some other codes require a percentage; the Fire Code requires 1 emergency escape and rescue window but this is called out of the St. Paul Legislative Code 34.09 says every window other than a fixed window shall be capable of easy opening

Mr. Wall:

-he did not see a definition of a fixed window in the code; he looked for it but he a common uses for a fixed window is a non-opening stationary window that allows light into the room (definition from Wordpedia and Andersen Windows); if there's a definition in the code, he'd follow that but he just didn't see one in the code

Ms. Moermond:

-we are looking at a window that was previously an openable window and it has been converted into a "fixed window;" she's not sure that's an acceptable conversion; it's a modification (Ms. Shaff: a modification that wouldn't meet the building code's requirements that kick-in every time you modify, change, add-on, etc. for light and ventilation; once you modify it, it would not be in compliance with the MN State Building Code)
-does the code for fixed windows apply in this case or is it not being maintained in its original state in a professional manner?
-she would also like to know where these windows are in the building

Mr. Wall:

-there's really only 2 windows in question here; but he is really looking for clarification going forward; have called DSI on this and was told that there wasn't a code requiring more than 1 window to be able to be opened; if there is a code on this he needs to know what and where it is so that he can comply with it

Ms. Moermond:

-she agrees; it needs to be sorted
-asked if the dept could re-write this Order (converted window; which window? other windows that are not openable? etc.) Ms. Shaff: not a problem; will assess the situation
-she needs to know how we treat these windows; how do we treat them in an emergency?

Ms. Shaff:

-thinks there's been some misunderstanding or code interpretation; yes, the Fire Code does require only 1 egress window but it doesn't prohibit you to have more than one but the Legislative Code says that if it's there, it has to work in it's original intent; if you modify it, you kick in more codes...

Ms. Moermond:

-get that language into the Order to clarify
-will grant an extension to Dec 1, 2016 to comply with painting the exterior

-will Lay over the window compliance for 3 weeks to give the inspector a chance to get out there and to modify the Order to make it more clear
-can communicate by email
-staff report Tue Oct 6, 2015 in the morning
-she will send him a determination; you can respond
-City Council Public Hearing Oct 21, 2015

Grant until December 1, 2015 for the painting of Item 2 to come into compliance;
layover for STAFF REPORT ONLY at 11:30 a.m. regarding the fixed window required for ventilation. Inspector to recheck window(s) and modify code.

Laid Over to the Legislative Hearings due back on 10/6/2015

24 [RLH FCO
15-217](#)

Appeal of Shoua Xiong to a Fire Certificate of Occupancy Correction Notice at 967 REANEY AVENUE. (Public hearing continued from September 16)

Sponsors: Finney

Shoua Xiong, owner, appeared.
Efrayn Franquiz, inspector

Fire Inspector Leanna Shaff:

-Fire Certificate of Occupancy Correction Notice
-it's the first inspection in the cycle; however, there was also a behavioral warning issue - a nuisance behavior; under the state statute 617180 -the abatement of nuisance behavior; when they are dealing with arrests, guns, alcohol, narcotics

Ms. Moermond:

-under Chap 40 Legislative Code, you can also document nuisance behavior towards eventual Revocation

Ms. Shaff:

-typically, when we have a nuisance behavior and we have a Fire Certificate of Occupancy inspection that is also due, they will perform the inspection
-Inspector Franquiz was the inspector at the property
-photos also attached

Inspector Franquiz:

-read his notes into the record (attached)

Ms. Moermond:

-asked what led to his first inspection

Mr. Franquiz:

-Jul 17, 2015-he received an email from Inspector James Thomas that stated: SPPD is having some concerns about kids hanging out the window without screens and would like someone to look at the property
-went to conduct inspection on kids hanging out windows; then, when there's a complaint such as this, protocol is to schedule the full C of O inspection
-when he got there that day, he saw the police officers standing in front of the building

Ms. Shaff:

-40 items on the Correction Notice; a lot of photos

Mr. Xiong:

-he was not informed of the inspection

-I was called and someone said that kids were hanging out of the windows; I didn't know anything about what was happening there at all; he went over there and the family that lives upstairs weren't home; they said that they hadn't been there and no kids were hanging out the window

-one of the windows is a long 1 piece window so he could not find anything; he went to Menards and put it in the basement - not yet installed; he had 2 small screens that fit into that opened area; one side of the window was taken out; there's no screen in that on; the other side does have a screen; he put the window in right away

-the statement that the child was hanging out the window is totally untrue; the tenant was not there at the time of the complaint; they were not home that day, Jul 20

Mr. Franquiz:

-the complaint came in on Fri, Jul 17; he got the email the same day, Fri, Jul 17 and he went out there on Fri, Jul 17; he asked the neighbors next door, who were outside if they have ever seen things happen there and they said, "O yes; we see the kids hanging out there; we scream at them and say, 'get back in the house'"

-he tried to get access on Fri, Jul 17, which he did not get

-there was no screen

Mr. Xiong:

-when he got there, he was surprised to see police officers there; so, he asked them what was going on, they said they found some activities going on with friends of tenant #1 and they arrested one person sleeping in the garage in the alley; the guy in the garage claimed that he was a friend of tenant #1; so, he asked #1 tenant if he knew that guy and #1 tenant said that he sort of knew the guy but didn't know that he was there on that day

-he asked the tenant who set up the table and installed some light bulbs in the basement; he said that a friend did it; they wanted to have a table to play cards; the police officer showed him things in some plastic bags that were on the table and a glass pipe for smoking; also some beer cans and other drinks; he asked the officer what he should do; officer said I should kick the tenants out but they were not arrested; either kick them out or the house would be Condemned; he went to talk with the tenants and told them to vacate, and one of the tenants on top said that they had nothing to do with the activities down there; so that's how it started

-that day, the inspector wanted me to fix the items: smoke detector and CO detector weren't working, so he replaced them; the inspector came back and said that he had more for him to do

-on Aug 12, inspector had 12 items; on Aug 21, he sent me the 40 items

-some items are reasonable but he could not fix all of them; thinks inspector wants to Condemn

Ms. Moermond:

-the first time: Order to right away fix the smoke/CO detectors

-then, there's 12 items on another set of Orders

-then, a later set of Orders with 40 items

Mr. Franquiz:

-the first set of Orders was for the referral/complaint; it had 13 items (life-safety issues)

-the second set of Orders was from the full C of O inspection

-most of the items from the 1st set were not on the 2nd set

Mr. Xiong:

-that does make sense but that was not presented to me as such

-he asked the inspector how much time could he give him to fix everything; he said, usually, we'll give 90 days to fix but I'm not going to give 90 days; if you don't agree

with that, you can appeal; when his letter came, it stated that the reinspection would be Oct 19

-as of now, I finished little

Ms. Moermond:

-asked if he had any concerns

Mr. Xiong:

-#4 -I'm not going to fix that; it's a very minimal chip on the edge and those are clay bricks, that over time, they peel off one layer at a time; I could see if the brick were coming loose from the wall, but this is just a chip; he had gone to find that same kind of brick and they said that they don't make that brick any more in MN; maybe there's one company in WI; I'm not concerned about beauty but if he's going to fix it, he wants it to match

Ms. Moermond:

-the code says that you need to fix the holes in the walls

Mr. Xiong:

-there's no holes; the brick is just peeling the surface area

-I will fix the holes but not replace any bricks; has photos to explain

Ms. Moermond:

-I will recommend against that, so, you will need to fix that

-any other items?

Mr. Xiong:

-#5 fence and the chip on the garage: I don't have a fence in my front yard; his tenant said that he had a chance to talk to the owner next door and the alley fence was built by the previous owner of my house but he wants to keep it because he has a front fence

Ms. Moermond:

-it's still your fence; it's on your property; you figure it out with your neighbor

Mr. Xiong:

-chipped panels on the garage; he repaired part of it from the previous inspection; the inspector said that was all I needed to repair

Mr. Franquiz:

-many of the panels on that garage are cracked and are breaking off; some are not original; deteriorated

Ms. Moermond:

-the chipped panels on the garage can wait until Jun 1, 2016

-there are quite a few Orders; what else do you want to focus on?

Mr. Xiong:

-#7 the water heater was installed without a permit; the other one was leaking so, without the knowledge that he needed a contractor who had a license in the city of St. Paul to install it, he went to Menards, he installed it and it's working properly; the inspector wants me to get a permit; so, I asked him if I could go down to the office and get one and he said that I needed a licensed contractor to get the permit and do that work or to look at to see if it had been installed properly; so, he got someone to come and look at it; he will pull the permit and he replaced the vent and also the gas valve; thought it was under control

Ms. Shaff:
-no permit was pulled

Mr. Xiong:
-#12 - another water heater; has a flexible pipe and it's been there and not a problem; he doesn't want to pay someone \$300-\$400 again to come and replace a pipe and then have the water heater going out,,, and he has to do it again

Ms. Moermond:
-you will need to have a licensed mechanical contractor to replace that pipe; he'll be out there anyway fixing the other one
-how was that one replace in the first place?

Mr. Xiong:
-when he bought the house, it was there
#36 - replace carpet; it was newly replaced before the tenant moved in (Ms. Moermond: the Order says "clean or replace" carpet; it's heavily stained)
-he will need more time to do the work on the outside; he has no available finances right now to have the work professionally done
-the house he lives in has 4 units; the 2 units that he's rented out have always been problems

Ms. Moermond:
-is looking through the Orders for weather dependent concerns and noticing that there's only one things that's weather dependent and that's the mortar (curing it) but otherwise, the roof, garage - can be done any time of the year

Mr. Xiong:
-he wanted me to repair the sidewalk; just one block is sinking in one corner (Mr. Franquiz: just needs to be re-aligned; a row of bricks that separates 2 spaces is loose) back of the building

Ms. Moermond:
-asked if the tenants that led to the police raid and the problems in the garage with the tenant's friend and the drug paraphernalia - are those people still living there?

Mr. Xiong:
-yes

Ms. Moermond:
-there's illegal electrical wiring going on; is the power and gas on for both units?

Mr. Franquiz:
-there's no gas/electric service to Unit #2
-on Xcel Energy's record, they list Unit #1 as Vacant (as of Jul 21, 2015); it could have changed since then

Ms. Moermond:
-so, there's no legal gas and electric being provided to this building (?) Let's get that squared away right now
-this is a Class D property which means an inspection is conducted every year

Ms. Shaff:
-the last C of O cycle on this building was in 2011 conducted by Inspector Pat Fish; there were issues at this property back then; it was Condemned by Pat Fish; long

term problems

-2012 was a bad year with lack of staffing; got backed up

-when they get a nuisance behavior that stems from weapons, narcotics, sale of alcohol gambling, prostitution; the state statute says that it requires the owner of the property to abate the nuisance; typically, it requires that the people move out right away because they are using like a crime release addendum or have a _____; another way is that they start using one and everyone signs and it gets filed with the city; but what that means is that another behavior or another nuisance happens, and they expect the owner to take swift action, on this particular one, the owner told her that tenants would be out the end of August and that he had sent them a letter telling them to be out; during the phone conversation, she explained to him that her expectation was that when they don't move, he take legal eviction action; however, she has not heard that he did that; by not taking care of nuisance behavior - allowing it to continue, they can keep him from enjoying the use of this property for up to a year

-those next steps are outlined in the letter provided to the owner

Ms. Moermond:

*-this letter is titled "Correction Notice" but there's a Condemnation on Unit 2, enumerated in #33 for lack of gas & electrical service and unsanitary conditions (mouse & cockroaches) #35; and not working smoke/CO detector
-it's not always necessary to Revoke/Condemn the whole building because of one unit*

Mr. Franquiz:

-had just called Xcel regarding these units and he reported that Xcel Energy said that the gas and electric are off in Unit #2; the gas/elect service is on for the new tenant in Unit #1, started Sep 2, 2015

Mr. Xiong:

-he asked tenants about Xcel and they said that they were going to pay Xcel for services but were waiting for approval from the county for assistance; this time they said that power was to be re-instated Oct 1, 2015; they had contacted an organization that was to pay for it

Ms. Moermond:

-Condemnation placard shows that it's Condemned and should not be occupied after Jul 20, 2015 because of lacking utilities, smoke/CO detectors;

Mr. Franquiz:

*-gas service was turned off May 12, 2015; electric was off since Apr 8, 2015
-Unit #2 is supposed to be vacant now*

Ms. Moermond:

-I think you have some enforcement to do

Mr. Franquiz:

*-he advised Mr. Xiong that the tenants could not be there
-he will take care of enforcement*

Mr. Xiong:

*-there are new tenants in Unit #1; they were there in Jun: Julie Valeck and Ronald
-Unit #1 always had power on; the tenants just didn't put their name on the contract; he had been paying the Xcel bill*

Ms. Moermond:

-Deny the appeal except for the chipped panel(s) on the garage which has been granted until June 1, 2016 for compliance. Inspector to keep October 19 reinspection date and additional enforcement action will be taken due to no gas and electric in Unit 2.

Referred to the City Council due back on 10/7/2015

2:30 p.m. Hearings

Vacant Building Registrations

- 25 [RLH VBR 15-69](#) Appeal of Michael Quinn to a Vacant Building Registration Notice at 1041 WESTERN AVENUE NORTH.

Sponsors: Brendmoen

Michael T. Quinn, owner, appeared.

Inspector Matt Dornfeld, Vacant Buildings:

*-most of this is a Vacant Building issue
-it was Condemned Aug 27, 2015 by Fire Inspector Grant Heitman due to lack of water service because of burst pipes; Inspector Heitman claimed that this property had been vacant for over 365 calendar days
-plumbing permit pulled in 2014 but never finalized
-due to that combination, Inspector Mike Kalis opened a Category 2 Vacant Building Aug 28, 2015; he spoke with the property owner on Sep 2, 2015 and made a deal to change this back to a Cat 1 VB with the understanding that a new plumbing permit would be pulled, finalized and the water restored within 30 days; and we would hold the VB fee for those 30 days; that deal was agreed upon according to Inspector Kalis
-as of Sep 11, 2015, Inspector Kalis again spoke with the property owner, who stated that he now intended to file an appeal on this process; Mike agreed with that but also informed him that since he was appealing, he was going to change it back to a Cat 2 VB*

Mr. Quinn:

*-he doesn't have a broken pipe
-entered photos showing that he maintains his property, yard, etc.
-his mom lived to be 93 years old and he inherited the house; he also was his mom's caretaker for the last 24 years of her life; she was his best friend and he has missed her a lot; it's been a very hard process for him - deciding what to do because he was born and raised in this house; he had a lot of trauma in that house; dad was an alcoholic and fought with mom but they stayed married all along; he watched his dad die of cirrhosis of the liver when he was 54 years old
-he is 61 years old and the last 25 years of his mom's life, he was her caretaker and maintained the property
-he's been wanting to rent it but listening to the guy before me and his problems with tenants, he's not so sure.... although, he'd be a wonderful landlord - he takes care of things; he'd hate to give it up, too; he's been told that he probably shouldn't put a lot of money into this house but it's still a wonderful neighborhood; when he goes over there, he picks up the litter, cuts the grass, edges the grass, cuts his neighbor's grass, too; enjoys doing it; it makes a difference; has lived in St. Paul since 1992
-then, he got this VB registration Notice; had to wait until the next day to digest it...never been issued anything like this before; it started to churn up in him; he is in knots!
-the house has always secured by normal means; no other people have been living*

there; there's no destruction of any kind; has always kept night lights on and paid his utility bills, taxes, assessments, etc.

Ms. Moermond:

-asked staff how it was determined that the water was off

Fire Inspector Leanna Shaff:

-Inspector Heitman made that determination; he notes that he had a conversation with Inspector Urmann, who told him of a complaint but there's nothing in the system about St. Paul Regional Water Services

Ms. Moermond:

-will recommend that the appeal be granted

Grant the appeal.

Referred to the City Council due back on 10/21/2015