



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 16, 2016

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 15-573](#) Ratifying the Appealed Special Tax Assessment for Property at 354 HOPE STREET. (File No. J1604A, Assessment No. 168503; amended to File No. J1604A1, Assessment No. 168520) (Public hearing continued from February 3)

Sponsors: Prince

Danisha Simmons, tenant, appeared.

Inspector Lisa Martin:

-clean up
-Summary Abatement issued Sep 14, 2015; compliance Sep 18; re-checked Sep 18
-work done Sep 21 for a cost of \$316 + \$160 service charge = \$476
-all Orders sent to: Green Jacket LLC, 5290 Hilltop Ave N, Lake Elmo MN; Trent Peterson, 2221 Oak Glenn Terr, Stillwater, MN; and Occupant
-failure to maintain exterior property; remove overflowing garbage container and all bags from ground in rear yard
-have had previous Orders: 5-28-15 rubbish done by owner
-photos

VIDEO - removed overflowing containers, litter, bags

Ms. Simmons:

-she has 1 garbage container
-she was not notified by her landlord that Aspen took over Walters trash service; when that happened, there was a 2 week pause in trash pick-up; so, she was stuck with a lot of garbage and didn't know what to do with it
-she contacted Walters; they told her that Aspen had been hired to take over her service; then she called Mr. Peterson and asked him why she hadn't been notified and that there was a delay in service because of that
-she has 3 children; only 1 garbage container
-why does she have to pay when the the garbage company and Mr. Peterson were irresponsible
-Mr. Peterson said that she needs to pay for it; it's not her fault
-she is trying to move on the 31st, and they aren't going to let her move unless she pays for it, nearly \$500

Ms. Moermond:

-this has nothing to do with you and they are making it about you
-the city holds owners accountable for having garbage service and because owners are held accountable for maintaining that service, the assessment goes onto their property taxes; if there's a private contractual agreement between you and the owner saying that you are supposed to take care of the garbage service, it's between you two; it doesn't sound like that was the case here

Ms. Simmons:

-no
-her landlord is trying to take her to court over this
-she doesn't know what to do next; she just wants to get out of this man's property and he told her to come to this hearing; that's why she's here

Ms. Moermond:

-the work wasn't taken care of
-will recommend approval of the assessment but that's not on you; it's on him
-told her about legal representation, Southern Minnesota Regional Legal Service (SMRLS), a free service for her, if she is looking for someone to help her out in this
-happy to provide documentation that she may need
-Video shows something different from the photo - more highly piled
-James Hoffman wrote the Orders
-our office can send the owner an email to tell him what's going on

Approve the assessment.

Referred to the City Council due back on 3/2/2016

2 [RLH TA 15-587](#)

Ratifying the Appealed Special Tax Assessment for Property at 354 HOPE STREET. (File No. J1604G, Assessment No. 168703; amended to File No. J1604G1, Assessment No. 168708, and to delete the assessment) (Public hearing continued from February 3)

Sponsors: Prince

Delete the assessment.

Danisha Simmons, tenant, appeared.

Inspector Lisa Martin:

-on the 2nd assessment for the trash hauling services
-Orders dated Sep 14, 2015; compliance Sep 18; re-check Sep 18
-work done Sep 23, 2015
-Order to provide garbage service was issued in conjunction with a Summary Abatement Order. Upon re-inspection, the inspector found that containers remained overflowing; a Work Order was sent to empty the containers and to provide a city container. On Sep 23, 2015, confirmed service with Aspen and emailed to stop city service
-at that time, there was a cost of \$100 + \$160 service charge = \$260 for city trash hauling service
-the city has removed their container

Ms. Moermond:

-will recommend deletion of this assessment based on staff's report

Referred to the City Council due back on 3/2/2016

- 3 RLH TA 16-87** Deleting the Appealed Special Tax Assessment for Property at 1126 ALBEMARLE STREET (File No. VB1605, Assessment No. 168804).
- Sponsors:** Brendmoen
- Houa Yang, owner, appeared.*
- Inspector Joe Yannarely:*
- Vacant Building fee
 - there was an agreement reached in Oct to allow the VB to go to assessment if it was not in compliance by Jan 1, 2016
 - the Code Compliance approval letter was issued Jan 20, 2016; now, it's back in Ms. Moermond's hands
 - anniversary date is Oct 1
- Ms. Yang:*
- is asking for the VB fee to be dropped; they did a lot of remodeling inside & out
- Mr. Yannarely:*
- mechanical finaled Jan 15, 2016
 - warm air finaled Jan 19. 2-16
 - plumbing finaled Dec 26. 2-15
- Ms. Moermond:*
- saw you 4 months ago and I recommended granting 90 days to finish
 - you gave our office a call on Jan 6 indicating you'd like 2 more weeks and you did complete the work within those 2 weeks
 - will recommend that this assessment is deleted
- Delete the assessment.*
- Referred to the City Council due back on 4/6/2016**
- 4 RLH TA 16-57** Ratifying the Appealed Special Tax Assessment for Property at 1694 AMES AVENUE (File No. CRT1606, Assessment No. 168205).
- Sponsors:** Bostrom
- Reduce from \$547.00 to \$294.00 (delete one \$98.00 reinspection fee and \$155 service charge due inspector entry error).*
- Referred to the City Council due back on 4/6/2016**
- 5 RLH TA 16-90** Ratifying the Appealed Special Tax Assessment for Property at 1058 ARCADE STREET (File No. J1606E, Assessment No. 168305).
(Public hearing continued to May 4)
- Sponsors:** Bostrom
- Heather Otto, RBK Management, appeared.*
- Inspector Lisa Martin:*
- Excessive Consumption Fee cost \$120 + \$35 service charge = \$155
 - SA Orders dated Sep 28; compliance Oct 2; Work Order sent to Parks
 - Oct 5: Parks found work had been done by owner
 - no history since 2012

Ms. Otto:

-she is the new property manager; previous management company left these homes neglected

Ms. Moermond:

-will Layover for 60 days, if nothing, will recommend deletion

From April 6 Public Hearing, will layover for 60 days to May 4 and if no same or similar, will delete the assessment.

Referred to the City Council due back on 4/6/2016

6 [RLH TA 16-39](#)

Ratifying the Appealed Special Tax Assessment for Property at 1103 BEECH STREET. (File No. J1605E, Assessment No. 168304)

Sponsors: Prince

Heather Otto, RBK Management, appeared.

Inspector Lisa Martin:

-Excessive Consumption fine \$155

-SA Orders issued Sep 8, 2015; compliance Sep 14; re-checked Sep 15

-history: grass cut by Parks Sep 17, 2015 for a cost of \$320 (previously)

Ms. Otto:

-new property manager

-previous management company just left

Ms. Moermond:

-recommends approval

Approve the assessment.

Referred to the City Council due back on 3/2/2016

7 [RLH TA 16-37](#)

Ratifying the Appealed Special Tax Assessment for Property at 617 GREENBRIER STREET. (File No. J1605E, Assessment No. 168304)

Sponsors: Stark

Heather Otto, RBK Management, appeared.

Inspector Lisa Martin:

-Excessive Consumption fee \$155

-Orders issued Sep 17, 2015; compliance Sep 23; re-checked Sep 23

-property mgr listed as Osaka Properties LLC; Executive Realty

-failure to remove trash container from blvd & store near the house on days other than trash day

-no previous Orders written

-forthcoming ECs and a clean-up

Ms. Otto:

-previous management company neglect

Ms. Moermond:

-recommends approval

Approve the assessment.

Referred to the City Council due back on 3/2/2016

- 8 [RLH TA 16-38](#) Ratifying the Appealed Special Tax Assessment for Property at 617 GREENBRIER STREET (File No. J1606E, Assessment No. 168305).

Sponsors: Prince

Heather Otto, RBK Management, appeared.

Inspector Lisa Otto:

-Excessive Consumption fees (2) \$275

-Orders issued Sep 17, 2015; compliance Sep 23; rechecked Oct 1, 2015 & Oct 7, 2015

-sent to Osaka Properties; and to Phil Beaumia Executive Realty

-failure to remove trash container from blvd on days other than trash days (Tue) & overflowing garbage

Ms. Otto:

-previous property management company neglect

Ms. Moermond:

-recommend approval

Approve the assessment.

Referred to the City Council due back on 4/6/2016

- 9 **RLH TA 16-88** Ratifying the Appealed Special Tax Assessment for Property at 707 PREBLE STREET (File No. J1606E, Assessment No. 168305).

Sponsors: Bostrom

Heather Otto, RBK Management, appeared.

Inspector Lisa Martin:

-Excessive Consumption fee \$155

-Orders dated Oct 7, 2015; compliance Oct 12; re-checked Oct 12

-work wasn't done with garbage & rubbish in yard on Oct 12; the work was done on Oct 14; inspector issued PAEC bill for work done after the compliance date

Ms. Moermond:

-pretty long history of things not being taken care of

-recommends approval

Approve the assessment.

Referred to the City Council due back on 4/6/2016

- 10 [RLH TA 16-89](#) Ratifying the Appealed Special Tax Assessment for Property at 707 PREBLE STREET (File No. J1606A, Assessment No. 168505).

Sponsors: Bostrom

Heather Otto, RBK Management, appeared.

Inspector Lisa Martin:

-Summary Abatement Order issued Oct 30, 2015; compliance Nov 3; re-checked Nov 4

-work done Nov 4 for a cost of \$274 + \$160 = \$434

-trash in yard and near curb

VIDEO - loose & scattered trash all over; removed all garbage in yard & blvd; mattress in back yard; table on upper deck

Ms. Moermond:

-didn't see a before shot in back yard in the Video; have photos from the day before on the back yard; not thrilled about the video documentation

-will recommend deletion

Delete the assessment.

Referred to the City Council due back on 4/6/2016

- 11 [RLH TA 16-21](#) Ratifying the Appealed Special Tax Assessment for Property at 1325 ARKWRIGHT STREET (File No. J1605A, Assessment No. 168504).

Sponsors: Brendmoen

Approve and spread payments over 5 years.

Owner sent in written statement for her appeal; attached herein. Ms. Moermond is recommending approval of the assessment and spreading the payments over 5 years.

Referred to the City Council due back on 2/17/2016

- 12 **RLH TA 16-66** Ratifying the Appealed Special Tax Assessment for Property at 1797 ARLINGTON AVENUE EAST (File No. J1606A, Assessment No. 168505).

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 4/6/2016

- 13 [RLH TA 16-70](#) Ratifying the Appealed Special Tax Assessment for Property at 558 ARUNDEL STREET (File No. J1606E, Assessment No. 168305).

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 4/6/2016

- 14 [RLH TA 16-62](#) Ratifying the Appealed Special Tax Assessment for Property at 96 ATWATER STREET (File No. J1606E, Assessment No. 168305).

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 4/6/2016

- 15 [RLH TA 16-82](#) Ratifying the Appealed Special Tax Assessment for Property at 646 AURORA AVENUE (File No. VB1605, Assessment No. 168804).

Sponsors: Thao

Terry Glass, owner, appeared.

Ms. Moermond:

-in Oct 2015, I said that I would allow the Vacant Building fee to go to assessment and re-visit it if and when the dwelling is compliant and may/may adjust the fee

Inspector Joe Yannarely:

-Annual Registered Vacant Building fee: \$2025 + \$155 service charge = \$2180

-Category 2 VB file opened May 12, 2015

-plumbing permit is finalized; 3 other permits are active

Mr. Glass:

-the last time I spoke with you, you said that it depends on how far along I am

-have done a whole lot of work

-electrical is all new; just have to call the inspector

-insulation is new; will put up the plastic and call the inspector

Ms. Moermond:

-we are 8 months into the year for which the VB fee applies

Mr. Glass:

-at one time he couldn't even work on it because....

Ms. Moermond:

-when looking at VB fees, my practice is I'm looking at 6 months and under, is to divide it in half; if I'm looking at more than 6 months, it's to approve the entire assessment

-even if we were to account for one side or the other....

-sound like you won't be getting a VB assessment for next year

-will recommend this is divided over 5 years

Approve and spread payments over 5 years.

Referred to the City Council due back on 4/6/2016

- 16 [RLH TA 15-462](#) Ratifying the Appealed Special Tax Assessment for Property at 1170 BEECH STREET (File No. J1601A, Assessment No. 168500; amended to File No. J1601A, Assessment No. 168512)

Sponsors: Prince

Approve; no show twice.

Referred to the City Council due back on 2/17/2016

- 17 [RLH TA 16-20](#) Ratifying the Appealed Special Tax Assessment for Property at 1170 BEECH STREET (File No. J1602C1, Assessment No. 162006).

Sponsors: Prince

Approve; no show twice.

Referred to the City Council due back on 2/17/2016

- 18 RLH TA 16-83** Ratifying the Appealed Special Tax Assessment for Property at 810 BUFFALO STREET (File No. VB1605, Assessment No. 168804).

Sponsors: Brendmoen

David Barlage, owner, appeared.

Inspector Joe Yannarely:

-Category 2 Vacant Building file opened Nov 20, 2006

-2 active permits

-was given one warning about mechanical work done without permits

-annual VB fee \$2025 + \$155 service charge = \$2180

Mr. Barlage:

-has owned the building a long time

-it's just him trying to afford to fix it up

-finally in Sep 2014, he started to work on it - cleaning, painting, etc.

-got a new code compliance inspection report

-has all the necessary permits; hired contractors

-has spent over \$25,000 getting the property going

-almost completely code compliant

-this added VB fee is going to slow me down from getting it occupied

Ms. Moermond:

-she will Lay it Over to May 20 at City Council

-if the work is done by May 20, 2016 and you have the Certificate of Code

Compliance, she will recommend having the VB fee cut in half, payable over 5 years;

if you don't have it done, I will recommend it gets approved as written; in either case,

she will recommend it gets paid over 5 years

Approve and spread payments over 5 years.

Referred to the City Council due back on 4/6/2016

- 19 RLH TA 16-81** Deleting the Appealed Special Tax Assessment for Property at 766 BUSH AVENUE (VB1605, Assessment No. 168804).

Sponsors: Bostrom

Delete the assessment; rehab completed three weeks after anniversary.

Referred to the City Council due back on 4/6/2016

- 20 RLH TA 16-78** Ratifying the Appealed Special Tax Assessment for Property at 711 CASE AVENUE (File No. J1606A, Assessment No. 168505).

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 4/6/2016

- 21 RLH TA 16-52** Ratifying the Appealed Special Tax Assessment for Property at 109 CONGRESS STREET WEST (File No. VB1605, Assessment No. 168804).
- Sponsors:** Noecker
- Reduce assessment from \$2180.00 to \$250.00.*
- James Yacoo, Jim Investment LLC, owner, appeared.*
- Inspector Joe Yannarely, Vacant Buildings:*
- VB registration fee \$2025 + \$155 service charge = \$2180*
 - he entered the VB Program Oct 12, 2012*
 - he received the Code Compliance Certificate on Jan 27, 2016*
 - has been in the VB Program for 3 1/2 months past the anniversary date*
 - history of Work Orders but nothing during the last year*
 - recommend prorating*
- Mr. Yacoo:*
- appealing the VB fee*
 - he got sick shortly after he bought the building and didn't work on it for about a year*
 - he did his best to get it done; did most of the work in 2015*
 - the Orders are from 2014, the year he was sick*
- Ms. Moermond:*
- will recommend reducing the assessment from \$2180 to \$250*
- Referred to the City Council due back on 4/6/2016**
- 22 RLH TA 16-42** Ratifying the Appealed Special Tax Assessment for Property at 581 COOK AVENUE EAST (File No. J1606E, Assessment No. 168305).
- Sponsors:** Bostrom
- Delete the assessment as discussed and recommended at the January 5 Legislative Hearing.*
- Referred to the City Council due back on 4/6/2016**
- 23 RLH TA 16-74** Deleting the Appealed Special Tax Assessment for Property at 1857 COTTAGE AVENUE EAST (File No. J1606E, Assessment No. 168305).
- Sponsors:** Bostrom
- Delete the assessment; the Summary Abatement Order did not specify the violation which needed to be corrected.*
- Referred to the City Council due back on 4/6/2016**
- 24 RLH TA 16-75** Ratifying the Appealed Special Tax Assessment for Property at 943 EARL STREET (File No. VB1605, Assessment No. 168804)
- Sponsors:** Bostrom
- Approve; no show.*

Referred to the City Council due back on 4/6/2016

- 25 RLH TA 16-53 Ratifying the Appealed Special Tax Assessment for Property at 275 ERIE STREET. (File No. VB1605 Assessment No.168804.

Sponsors: Noecker

Eyob Gebrekristos, owner, appeared.

Inspector Joe Yannarely, Vacant Buildings:

- annual VB fee \$2025 + \$155 = \$2180
- VB file opened Nov 7, 2013
- code compliance certificate received Jan 25, 2016
- it's 11 weeks past the anniversary date
- recommends granting a substantial reduction
- will be a rental property

Ms. Moermond:

- that's under 3 months
- will recommend deleting the assessment

Delete the assessment. Property was in the VB Program from November 6, 2013 until issuance of code compliance on January 25, 2016. This is 11 weeks past the anniversary date.

Referred to the City Council due back on 4/6/2016

- 26 RLH TA 16-71 Deleting the Appealed Special Tax Assessment for Property at 1290 FARRINGTON STREET (File No. J1606A, Assessment No. 168505).

Sponsors: Brendmoen

Jessica Teske, owner, appeared.

Inspector Lisa Martin:

- Summary Abatement issued Oct 23, 2015; compliance Oct 30; re-checked Oct 30
- work done Nov 2, 2015 for a cost of \$288 + \$160 service charge = \$448
- issued to Jessica Glickman and Jessica Teske, 373 Garden Dr, Delano, MN 55328 (same person)
- Note: Remove table from the driveway and along alley area
- history: nothing in the last few years; prior to that, we had some overgrown bushes

Ms. Teske:

- she received SA, which stated "Remove table from driveway and along alley;" she contacted her tenant and sent him a copy of the Orders; he stated that the table had been removed and sent me a picture of the table in the garage
- when she called to get clarification on this, I got the Parks Order that said, balance to remove wood plank and wood from the rear fence in the driveway and that was lumber that she had stored there from other projects; they were saw horses and that's not in the Abatement Order; all the SA says is to remove the table; if it had said to remove the wood, etc., she would have removed it
- has 10 properties in St. Paul; occasionally, she receives SA; she contacts the tenant and follows up with the inspector to make sure the file has been closed; these SA are usually very specific, so when I saw table, I removed the table; the tenant said it was moved and sent me a picture and I assumed it was done

VIDEO - removed wood from rear fence and table from alley by garage

Ms. Moermond:

-pointed out that on the SA, it said, "Remove table from driveway along the alley" but the whole thing says, "Remove improperly stored or accumulated refuse including: garbage, rubbish, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from yard areas." - the wood would have been covered in the first checked part of that paragraph

-you didn't go to actually check it out and she's not thrilled about that

-taking it all into account

-she would like her to personally check on these things in the future; the inspector should not be the one to tell you it was taken care of; you should know for yourself

-will delete this one; she can see her argument

Delete the assessment.

Referred to the City Council due back on 4/6/2016

27 [RLH TA 16-67](#)

Ratifying the Appealed Special Tax Assessment for Property at 903 FREMONT AVENUE (File No. J1606A, Assessment No. 168505).

Sponsors: Prince

Mike Nelson, Habitat for Humanity, appeared.

Inspector Lisa Martin:

-Summary Abatement issued Nov 18, 2015; compliance Nov 23; re-checked Nov 23

-work done Nov 25 for a cost of \$358 + \$160 service charge = \$518

-issued to Twin Cities Habitat for Humanity Inc, 1954 University Ave W, Ste 16, St. Paul, MN

Mr. Nelson:

-we have about 18 vacant lots in the City of St. Paul that we are land banking for future affordable housing opportunities

-we actively take care of the properties; we are very responsible landlords; we pay our taxes; we have a maintenance crew that goes out and takes care of all their properties

-our issue is that there seems to be a bit of delay in us getting Notice for these; as soon as we get them, we are very prompt in letting our maintenance crew know

-sometimes we don't get the mail in time

-we are concerned about the cost; straining our budget

Ms. Moermond:

-this is a full week between mailing and when the pick-up happened

VIDEO - it's a really big mess (mattresses, furniture, garbage)

Mr. Nelson:

-as you can see by the fence, we tried to rope off the property to deter dumpers

-the Notice is dated Nov 18 but we didn't receive it until Nov 24

Ms. Moermond:

-will recommend approval

-she understands that you do frequent checks but that was a huge mess and it was a sufficient length of time to have been addressed

Approve the assessment.

Referred to the City Council due back on 4/6/2016

- 28 [RLH TA 16-61](#) Deleting the Appealed Special Tax Assessment for Property at 336 FRONT AVENUE (File No. VB1605, Assessment No. 168804).

Sponsors: Thao

Delete the assessment; assessed in error, rehab completed on time.

Referred to the City Council due back on 4/6/2016

- 29 [RLH TA 16-54](#) Ratifying the Appealed Special Tax Assessment for Property at 719 GLENDALE STREET, Assessment Roll under 711 Glendale Street (File No. VB1605, Assessment No. 168804).

Sponsors: Stark

Legislative Hearing Officer recommends reducing the assessment from \$1595.00 to \$500.00 as discussed at the January 12, 2016 hearing. Related file is RLH VBR 16-1.

Referred to the City Council due back on 4/6/2016

- 30 [RLH TA 16-80](#) Ratifying the Appealed Special Tax Assessment for Property at 287 HAMLIN AVENUE SOUTH (File No. J1606E, Assessment No. 168305).

Sponsors: Tolbert

Approve; no show.

Referred to the City Council due back on 4/6/2016

- 31 **RLH TA 16-59** Ratifying the Appealed Special Tax Assessment for Property at 1319 HARTFORD AVENUE (File No. J1606A, Assessment No. 168505).

Sponsors: Tolbert

Theodore I. Daigle, owner, appeared.

Inspector Lisa Martin:

-Summary Abatement Order issued Nov 5, 2015; compliance Nov 16; re-checked Nov 16

-work done Nov 18, 2015 for a cost of \$344 + \$160 = \$504

-no previous history at this property

-sent to: Theodore I. Daigle, 1319 Hartford Ave, St. Paul; and Occupant

Mr. Daigle:

-he got the Notice to remove a smoker, some concrete blocks, a fence, trimmed trees, etc; they had done a bunch of work back there; they usually put things in the alley and people take things; they moved all the stuff except for a couple bricks that they were going to throw away; the city came back and removed a cord and a half of fire wood that was wrapped in tarp up against his fence; to replace it will cost \$450

VIDEO - crew removed tree debris, concrete blocks and storage under blue tarp

Mr. Daigle:

-wants to know the difference between tree debris and split wood (fire wood)

Ms. Moermond:

-she did not see what was under the tarp; she heard the description of storage under tarp

Ms. Martin:

*-we didn't see any fire wood storage; took photos - looked like a bunch of tree debris
-after the clean up, the owner contacted her and stated that he just had a bunch of wood delivered; again, she doesn't know what the work crew saw; in the video, it stated there was tree debris*

Mr. Daigle:

*-it was split fire wood; brand new fire wood, stacked 4 1/2 ft high along that fence
-has owned this property for 23 years and has lived there; never had any issues; he pays his taxes the whole time and never had any issues
-they did some tree cleanup and left the stuff back there a little bit longer; he assumed that someone would come by and pick up the fence, etc, which they normally do; this time, they didn't
-he thought the tree debris was the trimmings of the tree, not the fire wood; the stuff on the right
-me and my boys split our own wood; they just got done with it in Sep*

Ms. Martin:

*-for the fire wood: usually, it has to be at least 1 foot off the ground and at least 10 feet away from any structure
-owner did not contact us until after the removal was done*

Mr. Daigle:

-I thought I had done all my work; he removed the smoker and all but 3 of the concrete blocks; the tree debris, he assumed was the branches from tree trimming

Ms. Moermond:

*-it was legitimate for the crew to go out there; the work was not done on deadline
-she couldn't tell what was underneath the tarps; would like to get a report from the crew
-why don't you put the split wood into the garage?*

Mr. Daigle:

*-he has storage inside his garage and it's not very big; he does have some wood in there; but the fresh wet wood has to dry for a year before you can use it; the crew should know that; the dry wood is inside the garage
-I've been doing this for 23 years; it's 8 1/2 feet off the property*

Ms. Moermond:

*-if that wood was not properly stored, then, it had to go; she sees that the tarps are sprawling all over the place
-she will get a report from the crew and will take that into account*

Legislative Hearing Officer to get report from work crew.

Inspector Lisa Martin did a follow up and spoke with Skip Saete, Public Work Supervisor, regarding the address and the wood/tree stump/cement removal. He stated his crew removed the tree stumps and debris including whatever was under the tarp per the work order.

Based on this information, Ms. Moermond is recommending approval of the assessment.

Laid Over to the Legislative Hearings due back on 3/1/2016

32 RLH TA 16-55 Ratifying the Appealed Special Tax Assessment for Property at 674 JESSAMINE AVENUE EAST (File No. J1606A, Assessment No.168505).

Sponsors: Bostrom

Daniel McGarry, owner, appeared.

Inspector Lisa Martin:

-Summary Abatement Order issued Oct 27, 2015; compliance Nov 2; Pre-authorized Work Order

-work done Nov 2 for a cost of \$316 + \$160 = \$476

-history: Feb 5, 2015 & Sep 16, 2015 for garbage

-this is for failure to maintain exterior property

-sent to Robert E. McGarry and Daniel L. McGarry, PO Box 3695, St. Paul; and Occupant

-to remove improperly stored refuse, garbage, rubbish and overflowing garbage containers near alley

Mr. McGarry:

-appealed to see the Video

VIDEO - overflowing containers, trash on ground, etc.

Mr. McGarry:

-he thought this had to do with work done on the property; didn't realize it had to do with trash cans

-they did have weekly trash service with Veiola at that time

-we also have people who dump on their property, including bags like that

-it's rental property; I lived there for 10 years but not since 2009

-there are 2 units and 2 trash cans; neighbors dump

Ms. Moermond:

-sees torn open garbage bags and raw garbage is not OK

Mr. McGarry:

-Veiola would have picked that up when they came that week

-trash service was on Thu when he lived there; it may have been changed since then

-it's very possible that it's a separate set of garbage

-thinks that \$316 is excessive for that amount of garbage, especially when we pay to have it picked up

Ms. Moermond:

-the Orders were issued Oct 27, 2015, which was a Tue and the work was done the following Mon, Nov 2, 2015

-it doesn't like as though 2 containers are enough for the property

-will recommend approval

Approve the assessment.

Referred to the City Council due back on 4/6/2016

33 RLH TA 16-79 Ratifying the Appealed Special Tax Assessment for Property at 861 JESSAMINE AVENUE EAST (File No. J1606A, Assessment No. 168505).

Sponsors: Bostrom

Paul Yang, owner, appeared.

Inspector Lisa Martin:

-Summary Abatement Order issued Nov 5, 2015; compliance Nov 12; re-checked Nov 12

-work done Nov 16 for a cost of \$316 + \$160 service charge = \$476

-no returned mail

-no previous Orders at the property

-sent to Occupant; Ny Yang and Maiseng Moua Yang, 861 Jessamine Ave E, St. Paul, MN 55106; and Paul Nhia Yang, 861 Jessamine Ave E

Mr. Yang:

-the letter that was sent to him said that he should clean the concrete (?); he moved it

-he saved the tires (?) for his nephew but he hadn't picked them up yet

-I have a 6 ft fence; does the city have a right to peak into my yard and move out of my property? It's not trash

VIDEO - removed wood on side of garage inside fence

Ms. Moermond:

-you got the Order to remove the wood debris in rear yard; it's a nuisance that needs to be cleaned up

Mr. Yang:

-no; I didn't get one to remove wood

-I removed the cement; it was behind my garage

-I have a fence so people don't come into my yard and dump on my property; before I had the fence, a lot of people came and dumped in my yard; that's why I put up the fence

Mai Vang:

-she interpreted for him and asked him a question in Hmong (he said that it was the Oct 5 letter he's talking about); this is the Nov 5 letter

Ms. Martin:

-thinks that he's talking about an earlier letter but she's not seeing an earlier letter in the file except way back to 2010

Ms. Moermond:

-we do have a language issue going on here

-will recommend deleting this assessment because of the language barrier but the letter has a Hmong phone number to call if you have a question

Delete the assessment.

Referred to the City Council due back on 4/6/2016

34 RLH TA 16-84 Ratifying the Appealed Special Tax Assessment for Property at 918 JORDAN AVENUE (File No. VB1605, Assessment No. 168804).

Sponsors: Bostrom

Devan Deerdahl, property manager, appeared on behalf of Ryan Piechowski, owner.

Inspector Joe Yannarely:

-annual Vacant Building fee \$2025 + \$155 service charge = \$2180

-anniversary date is Jun 18, 2015

-at the Nov 24, 2015 LH, you stated that if the property owner has a C of O issued by Jan 1, 2016, you would decrease by 50%

-Fire C or O was issued Jan 20, 2016

-2 work orders last summer to cut the grass

Mr. Deerdahl:

-a guy quit on them and they had all sorts of other problems

-we purchased the property Oct 19, 2015 from a bank; all of this happened before then, we did our due diligence and there was no record of any of this; all of a sudden, we started to get these invoices totaling quite a few thousand dollars

Ms. Moermond:

-here's what I'm stuck with: I already took into account that you guys had just recently purchased the property and you were working hard at it, noting that the anniversary was Jun 18; we were already 6 months into the year when we talked before

-the bill was due Jun 18; you bought it Oct 19 and it wasn't paid; it should have shown up as a pending assessment

Mr. Deerdahl:

-we had our title company look it all over

Ms. Moermond:

-it's up to the owner to disclose pending Orders; this is between you and them

-you did get it done not too long after I wanted it done but not by when I wanted it done

Mr. Deerdahl:

-the only thing we missed was 1 piece of trim on the exterior of the building, which to him was a little silly; it didn't cause anyone any hard and it is going to get fixed very shortly

Ms. Moermond:

-will reduce the assessment to \$250

Reduce assessment from \$2180 to \$250.

Referred to the City Council due back on 4/6/2016

35 RLH TA 16-60

Deleting the Appealed Special Tax Assessment for Property at 600 LAFAYETTE ROAD (File No. VB1605, Assessment No. 168804).

Sponsors: Brendmoen

Delete the assessment; assessed in error.

Referred to the City Council due back on 4/6/2016

36 RLH TA 16-43

Deleting the Appealed Special Tax Assessment for Property at 761

LAWSON AVENUE EAST (File No. CRT1606, Assessment No. 168205).

Sponsors: Bostrom

Delete the assessment. (Payment received & processed by DSI.)

Referred to the City Council due back on 4/6/2016

- 37 [RLH TA 16-51](#) Deleting the Appealed Special Tax Assessment for Property at 920 LINCOLN AVENUE WEST (File No. VB1605, Assessment No. 168804).

Sponsors: Noecker

Delete the assessment; Inspector Dornfeld granted an extension that did not get recorded properly.

Referred to the City Council due back on 4/6/2016

- 38 **RLH TA 16-56** Deleting the Appealed Special Tax Assessment for Property at 878 MAGNOLIA AVENUE EAST (File No. J1606A, Assessment No. 168505).

Sponsors: Bostrom

Delete the assessment; the summary abatement order did not go out because of the new process in their Amanda System.

Referred to the City Council due back on 4/6/2016

- 39 **RLH TA 16-68** Ratifying the Appealed Special Tax Assessment for Property at 909 MARION STREET (File No. J1606A, Assessment No. 168505).

Sponsors: Thao

Cheron Carlson, owner, appeared.

Inspector Lisa Martin:

-Summary Abatement Order issued Nov 6, 2015; compliance Nov 11; re-checked Nov 12

-work done Nov 16 for a cost of \$180 + \$160 service charge = \$340

-failure to maintain exterior of property

-issued to Cheron Carlson, 909 Marion St, St. Paul, MN

-Inspector John Peter Ross issued the Orders; I have spoken with Ms. Carlson several times; there was some email communication and a lack of communication on this file; this was a vacant property that she had moved from; a flat screen TV was dumped on the blvd and should have gone to the Parks Dept for dumping; so, I would recommend deleting all of these fees for Ms. Carlson

Ms. Moermond:

-so recommended

Delete the assessment.

Referred to the City Council due back on 4/6/2016

- 40** [RLH TA 16-50](#) Ratifying the Appealed Special Tax Assessment for Property at 467 MARYLAND AVENUE WEST. (Assessment Roll under 455 Maryland Avenue West; File No. J1605E, Assessment No. 168304)
- Sponsors:** Brendmoen
- Approve; no show.*
- Referred to the City Council due back on 3/2/2016**
- 41** **RLH TA 16-65** Ratifying the Appealed Special Tax Assessment for Property at 692 MINNEHAHA AVENUE WEST (File No. J1606A, Assessment No. 168505).
- Sponsors:** Thao
- Approve; no show.*
- Referred to the City Council due back on 4/6/2016**
- 42** [RLH TA 16-86](#) Ratifying the Appealed Special Tax Assessment for Property at 1036 MINNEHAHA AVENUE EAST (File No. J1606A, Assessment No. 168505).
- Sponsors:** Prince
- Approve; no show.*
- Referred to the City Council due back on 4/6/2016**
- 43** [RLH TA 16-64](#) Ratifying the Appealed Special Tax Assessment for Property at 1895 ORANGE AVENUE EAST (File No. J1606E, Assessment No. 168305).
- Sponsors:** Bostrom
- 2/16/16: Approve; no show.*
- 2/26/16: Appellant called and stated missed hearing. Rescheduled to March 1 LH.*
- Laid Over to the Legislative Hearings due back on 3/1/2016**
- 44** [RLH TA 15-614](#) Ratifying the Appealed Special Tax Assessment for Property at 893 RANDOLPH AVENUE. (File No. J1604E, Assessment No. 168303; amended File No. J1604E1, Assessment No. 168310)
- Sponsors:** Noecker
- Ira Kipp, tax owner, appeared.*
- Inspector Lisa Martin:*
- Excessive Consumption fee \$120 + \$35 service charge = \$155 (for multiple violations)*
 - failure to maintain exterior property*
 - Orders issued Aug 17, 2015; compliance Aug 24; re-checked Aug 17*
 - no returned mail*

-history: open file; continuous complaints & finding of garbage, rubbish, trash, insufficient number of containers, overflowing dumpster
-photos

Mr. Kipp:

-he has many properties and he's tired of people dumping on his properties
-they check 2-3 times per week; thinks that it's abusive for the city to rape citizens for something they can't control
-city should have a city-wide trash program
-his trash company picks up once a week
-city should lengthen the time of compliance; his offices are in Mpls

Ms. Moermond:

-photos show a yard that's not maintained; she is not sympathetic; thinks that it's his responsibility
-will recommend approval of the assessment
-many people in St. Paul agree with organized trash collection

Approve the assessment. Approve the assessment.

Referred to the City Council due back on 3/2/2016

45 [RLH TA 16-1](#)

Ratifying the Appealed Special Tax Assessment for Property at 1006 REANEY AVENUE (File No. J1605A Assessment No. 168504).

Sponsors: Prince

Chou Yang, owner, appeared.

Inspector Lisa Martin:

-Summary Abatement Order issued Oct 2; compliance Oct 7; re-checked Oct 8
-work done Oct 12 for a cost of \$372 + \$160 service charge = \$532
-failure to maintain exterior property
-no returned mail
-no history
-sent to Chou Yang, 1006 Reaney Ave, St. Paul; and Occupant

VIDEO- garbage, wood, cardboard in side yard and back yard; on deck

Mr. Yang:

-I rent to a tenant who was in the process of moving out
-I haven't seen all that before
-I took care of the problem by having him move out
-I go there once a month to collect the rent

Ms. Moermond:

-will recommend approval
-it was 10 days between Orders issued and the clean-up crew showing up; there was still a week to get it done
-you need to check on your property more than once a month

Mr. Yang:

-wants a copy of the Video; he is living at the property now

Ms. Martin:

-come to the DSI office to get a copy of the video

Ms. Moermond:

Approve this assessment.

Referred to the City Council due back on 2/17/2016

46 [RLH TA 15-543](#)

Ratifying the Appealed Special Tax Assessment for Property at 1198 SHERBURNE AVENUE. (File No. J1603A, Assessment No. 168502; amended to File No. J1603A2, Assessment No. 168514, and amended to delete)

Sponsors: Stark

Rachel L. Toberman, owner, appeared.

Inspector Lisa Martin:

-Emergency Summary Abatement Order dated Aug 27, 2015; compliance Aug 27

-work done Aug 28, 2015 for a cost of \$372 + \$160 service charge = \$532

-large fallen tree block more than half the alley

Ms. Toberman:

-the city cleaned up the property at 1202, not mine

-we did the work on my property; the city did not do the work

-the tree was downed in a thunder storm and we were without power for 5 days

-I called the city to get somebody out for the neighbor's property because it was all blocking the neighbor's house; she did nothing

-I hired a tree removal company, Dean's Tree Service and they removed the tree

-on the date that the city was on her property, they were already there

-has photo from this morning showing her property with a new fence

-she spent her insurance to have the neighbor's power restored

-the city did not work on her property; Dean's Tree Service did

-has her records with her

Ms. Moermond:

-Mai Vang will scan your records and photo

-she wants to look at the VIDEO

Ms. Martin:

-there is no VIDEO; the tree is so large; it's blocking most of the alley; so, we will have to talk to the work crew on this one to find out what exactly they removed; they did remove something

Ms. Toberman:

-Dean's Tree Service was there on the same day and moved the entire tree; the tree debris that the city picked up was on Ms. Teske's property at 1202 Sherburne; in the footage you will see that her whole fence is gone; mine has been replaced

-I tried to call the inspector while they were at the house to give them the information

-we haven't had one complaint in 10 years whereas, 1202 Sherburne has had numerous complaints

-she was actually at a funeral in Chicago and took a flight home because she did not feel comfortable being away knowing that they were without power because my tree went down; she got them a generator

-my cost was covered by my insurance, \$4285, which covered everything; I tried to reach out to her

Ms. Martin:

-I don't see an Order issued to 1202 Sherburne

-I'd be happy to pull that VIDEO and check with the inspector as well as the PW crew to find out where exactly they were

Ms. Moermond:

-this assessment is for \$532, which is not reflective of the kind of work that would be required to remove a large tree out of the alley

Inspector Joe Yannarely:

-noted that this is one of Inspector John Ross' so it might have been hard for her to contact him at the time

Ms. Moermond:

-she will look at the paperwork and is headed for deletion of this assessment

-she needs to have better documentation

-she asked Ms. Toberman to email her photos to her email address

-Mai Vang will contact you with her final decision

-if you're not in agreement, you can come to the City Council Public Hearing on Mar 2, 2015

Mr. Yannarely:

-there's a notation in the file: Close. Abated. Determined that original inspector John Ross issued SA to wrong address; should have been 1202.

Ms. Moermond:

-OK; it's deleted

Assessment is deleted.

Referred to the City Council due back on 3/2/2016

- 47 RLH TA 16-63** Ratifying the Appealed Special Tax Assessment for Property at 934 SIMS AVENUE (File No. J1606A, Assessment No. 168505).

Sponsors: Bostrom

2/16/16: Approve; no show.

Laid Over to the Legislative Hearings due back on 3/1/2016

- 48 RLH TA 16-69** Ratifying the Appealed Special Tax Assessment for Property at 707 VAN BUREN AVENUE (File No. J1606A, Assessment No. 168505).

Sponsors: Thao

Abby Burdick, owner, appeared.

Inspector Lisa Martin:

-Summary Abatement Order issued Oct 23, 2015; compliance Oct 30; re-checked Oct 30

-work done Nov 3, 2015 for a cost of \$288 + \$160 = \$448

-sent to Marcus Burdick, 707 Van Buren Ave, St. Paul MN; and Occupant

-no returned mail

-remove head board from side of garage in the grass

-Inspector noted: owner called and said her neighbors at 706 W. Minnehaha Ave took what was in their yard and dumped it in our yard: a table, a chair, a garbage bin, etc. alongside the garage

-no further history

-Order were issued to the neighboring property; compliance date Oct 30 and they were in compliance so, there was no action

Ms. Burdick:

-I called Sean and told him about it; it was dumped in my yard and was happening constantly; there's a couple vacant lots on their block; it's dumped there and it travels down the block ending up in our yard; he called him and asked about her options; Sean told her to call SPPD and have them take your statement so that it's on record; he made it sound as though the city was going to come and pick it up and I wouldn't have to pay for it

-her husband bought this property before they got married and has been living there for 6 years; we don't cause any ruckus and we keep our property

-we usually just throw things away but this was just too much - a big head board, table, chair,

Ms. Moermond:

-recommends deleting this assessment

-on the condition that you go in between those 2 garages and get that brush cleared out

Ms. Burdick:

-it's been cleared out already and we cut down the big trees, etc.

Ms. Moermond:

Delete the assessment.

Referred to the City Council due back on 4/6/2016

- 49** [RLH TA 16-76](#) Deleting the Appealed Special Tax Assessment for Property at 942 WESTERN AVENUE NORTH (File No. VB1605, Assessment No. 168804)

Sponsors: Thao

Delete the assessment; code compliance issued on November 13, 2015. Anniversary date was November 1.

Referred to the City Council due back on 4/6/2016

- 50** **RLH TA 16-77** Deleting the Appealed Special Tax Assessment for Property at 353 WHEELLOCK PARKWAY WEST (File No. VB1605, Assessment No. 168804)

Sponsors: Brendmoen

Delete the assessment; rehab completed within 30 days of anniversary.

Referred to the City Council due back on 4/6/2016

- 51** **RLH TA 16-73** Ratifying the Appealed Special Tax Assessment for Property at 659 WHEELLOCK PARKWAY WEST (File No. J1606A, Assessment No. 168505).

Sponsors: Brendmoen

Shaun B. Hawkinson, owner, appeared.

Inspector Lisa Martin:

- Summary Abatement issued Oct 29, 2015; compliance Nov 5; re-checked Nov 5
- work done Nov 9 for a cost of \$158 + \$160 service charge = \$318
- no returned mail; no previous history
- sent to Shaun B. Hawkinson and Elizabeth A. Hawkinson, 659 Wheelock Pkwy W, St. Paul; and Occupant
- Remove green couch from blvd
- photo

Ms. Moermond:

- looking at the photo - looks like the green couch got moved behind a tree next to a trailer

Mr. Hawkinson:

- getting ready to take couch to disposal but the trailer was full of leaves
- his garbage collection is in the front on Fri mornings; he doesn't believe that they will take a couch
- he thought that getting it off the blvd would be sufficient

Ms. Moermond:

- that's a good faith effort to her; you got it off the blvd
- it was your couch and you wanted to take care of it
- you'd have to call your garbage collector and ask if they could take the couch and they will but they'll charge you for it
- will reduce this assessment to \$200; some effort was made

VIDEO - removed couch from backyard

Ms. Moermond:

Reduce assessment from \$318 to \$200.

Referred to the City Council due back on 4/6/2016

- 52** **RLH TA 16-72** Ratifying the Appealed Special Tax Assessment for Property at 793 WHEELLOCK PKWY EAST (File No. J1606E, Assessment No. 168305).

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 4/6/2016

- 53** [RLH TA 16-85](#) Deleting the Appealed Special Tax Assessment for Property at 82 WINTER STREET (File No. VB1605, Assessment No. 168804).

Sponsors: Thao

Patrick O. Rhone, owner, appeared.

Inspector Joe Yannarely:

- annual Vacant Building fee: \$2025 + \$155 service charge = \$2180
- Category 2 VB file opened Nov 3, 2010
- code compliance certificate issued Jan 7, 2016, 2 months + 4 days after the anniversary date

-he recommends a substantial reduction

Ms. Moermond:

-will recommend deletion; was in the VB Program for 2 months out of 12

Delete the assessment. Category 2 Vacant Building file opened on November 3, 2010. Code compliance certificate issued on January 7, 2016, 2 months and 4 days after anniversary date.

Referred to the City Council due back on 4/6/2016

- 54 RLH TA 16-58** Ratifying the Appealed Special Tax Assessment for Property at 1567 YORK AVENUE (File No. J1606E, Assessment No. 168305).

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 4/6/2016

- 55 [RLH TA 16-36](#)** Ratifying the Appealed Special Tax Assessment for Property at 171 GRANITE STREET. (File No. CRT1605, Assessment No. 168204)

Sponsors: Brendmoen

Mr. _____, tenant, appeared.

Fire Inspector Leanna Shaff:

-need staff report

-Fire Certificate of Occupancy inspection fees on a single family home

-cost \$340 + \$155 service charge = \$495

-date of Orders: Nov 25, 2014; May 4, 2015; Jun 15 and Aug 20, 2015

-compliance date: Aug 20 2015

-no returned mail

-billing dates: Aug 24 and Sep 23, 2015

-sent to owner: Richard D. Berget, 34641 Lang Ave, North Branch, MN

Mr. _____:

-is responsible for the bills; didn't get them in time

-is financially difficult for him

Ms. Moermond:

-will recommend spreading the assessment over 2 years

Approve and spread payments over 2 years.

Referred to the City Council due back on 3/2/2016

- 56 RLH TA 16-92** Ratifying the Appealed Special Tax Assessment for Property at 1033 EUCLID STREET (File No. J1606E, Assessment No. 168305).

Sponsors: Prince

Tong Pao Vang, owner, appeared. Mai Vang interpreted.

Inspector Lisa Martin:

-Excessive Consumption fee \$120 + \$35 = \$155

-Correction Notice issued Sep 25, 2015; compliance Oct 1; re-checked Oct 7 & 12
-vehicles in compliance Oct 12, 2015
-no returned mail
-history: vehicle abatement Orders issued Mar 30 & Jul 30, 2015 for vehicles parked on unapproved surface with expired tabs
-comments: inspector issued a Correction Notice on Sep 25, 2015 was to discontinue parking on the unapproved surface; he re-checked on Oct 7 & 12; on Oct 12 the vehicles were in compliance; the inspector noticed the bags of garbage & rubbish in the yard and issued a Summary Abatement Order; property was re-inspection Nov 23, 2015 and was in compliance on vehicle and SA.
-Orders issued to Tong Pao Vang / Darling Lee Vang, 1033 Euclid St, St. Paul; Tong Vang at same address

Ms. Moermond:

-so, there were 3 or more complaints within a year and therefore an Excessive Consumption fee was charged

Mr. Vang:

-when he got the Vehicle Abatement Orders, he did remove the vehicles
-he also paid a Summary Abatement of \$120; he doesn't have the date

Ms. Moermond:

-so, this isn't the first Excessive Consumption fee
-will Lay this Over to Oct 5, 2016 City Council Public Hearing and if he has no violations until then, she will recommend that this assessment gets deleted

To be laid over to October 5, 2016. If no same or similar, will delete this assessment.

Referred to the City Council due back on 4/6/2016

57 [RLH TA 16-95](#)

Deleting the Appealed Special Tax Assessment for Property at 1134 MCLEAN AVENUE (File No. J1606A, Assessment No. 168505).

Sponsors: Prince

Michael Chavez, Certificate of Occupancy Responsible Party, appeared.

Mr. Chavez:

-clean up
-he is purchasing the home Contract for Deed; the owner of the house lives in Ham Lake; she told him that there was an Order for a couch; he went to the back yard and the couch was across the alley; he called the owner back and she had contacted the city; the city said that he had to clean it up and that he could make an argument down here if it wasn't his; so, pulled the couch against his garage and called his trash company, who said that they would be out in a week to pick it up; the owner didn't tell her that he had only a few days to get rid of it or there would be a charge from the city; he assumed that a week would be enough; it wasn't his and this type of thing happened previously and he called his trash company and they came the next day so it wasn't a problem
-he was going out of town and he lives on a dead end alley
-this time, the city had already removed the couch

Inspector Lisa Martin:

-Summary Abatement Order issued Nov 12, 2015; compliance Nov 17; re-checked Nov 17
-sent to owner, Martha Renae Dalluhn, 3025 165th Ln NE, Andover, MN; and Daisy Chavez, 1134 McLean Ave St. Paul

-cost: \$308 + \$280 service charge = \$588
 -note: Remove Mattresses in rear yard near alley. Comply before Nov 17, 2015
 -work done Nov 18, 2015

VIDEO - showed crew removing 2 mattresses

Mr. Chavez:

-it was mattress, not a couch; it's not my trash; I just pulled it up against my garage
 -he lives there
 -you can see that my yard area is clean

Ms. Moermond:

-is wondering why his Contract for Deed isn't registered with the county so that your name shows up

Mr. Chavez:

-he's not sure
 -his trash can is empty; his area is clean
 -it was scheduled to get picked up; he would not leave anything in the alley or in his yard
 -dumping occurs very often

Ms. Moermond:

-it's the seller's responsibility to make sure that the Contract is registered; that needs to get done or it will be treated like a rental property as far as the city's concerned

Ms. Martin:

-no history; no other Orders

Mr. Chavez:

-got the property 5 years ago
 -he takes pride in his area

Ms. Moermond:

-no history
 -will recommend that this assessment be deleted
 -call the inspector next time and say that you called you garbage company and they will pick it up on ____; he will make a note in the file

Delete the assessment.

Referred to the City Council due back on 4/6/2016

- 58 [RLH TA 16-93](#) Deleting the Appealed Special Tax Assessment for Property at 568 BURGESS STREET (File No. VB1605, Assessment No. 168804).

Sponsors: Thao

Delete the assessment.

Referred to the City Council due back on 4/6/2016

- 59 **RLH TA 16-94** Ratifying the Appealed Special Tax Assessment for Property at 749 SIMS AVENUE (File No. J1606E, Assessment No. 168305).

Sponsors: Bostrom

Mai Yang, tenant, appeared.

Inspector Lisa Martin:

-2 separate Summary Abatements both written Oct 6, 2015: 1) garbage; 2) tall grass & weeds

*-Orders sent to owner is Steven Vue and Moua H Vou, 350 Main St, Circle Pines, MN 55014; Steven Vue, 2161 Suburban Ave, St, Paul MN 55119; and Occupant
-the clean-up of garbage was done by owner*

Ms. Moermond:

-asked Appellant why the lawn wasn't mowed

Ms. Yang:

-this one is supposed to be for the clean-up of the aquarium

-we never got that letter and you told us last time to come today at 9 am; that's why we're here today

Ms. Moermond:

-that's not what we're looking at today

-let's see what the Video is about

VIDEO - city cut tall grass & weeds

Mr. Yannarely:

-the aquarium was addressed as a Work Order done by owner; so, that's not an issue

Mai Vang:

-they came Jan 19 for the Summary Abatement for the clean-up and there was a pending EC, not scheduled at that time

-this today is for an Excessive Consumption fee

Mr. Martin and Mr. Yannarely:

-this is a Work Order for the tall grass & weeds (Mai Vang: that was heard on Jan 19 already)

Ms. Moermond:

-so, we have an Excessive Consumption - 3 valid complaints within a 1-year time period

-went to Mai Vang's computer to check things out for this address: the notes aren't clear on this in terms of you coming back again; it sounds like that there an odd, confusing conversation with the inspector

-this is the Excessive Consumption that was to come up on today's agenda

-but also that there's a tall grass & weeds that is up today, as well

-there were 4 instances founded within the last 12-month time period

Mr. Yannarely:

-there's a snow walk - Feb 6, 2015

-a tall grass complaint - May 26, 2015, Oct 6, 2015

-garbage/rubbish - Oct 6, 2015

-two of them were not founded

Ms. Martin:

-there were 2 Work Orders

Ms. Moermond:

-will recommend that the Excessive Consumption assessment be DELETED; if we have another instance, she will change her mind

Ms. Yang:

-none of that paperwork was ever shown to them

Ms. Moermond:

-will recommend the tall grass & weeds assessment be APPROVED

Delete the assessment.

Referred to the City Council due back on 4/6/2016

60 RLH TA 16-96

Ratifying the Appealed Special Tax Assessment for Property at 1952 MARYLAND AVENUE EAST (File No. J1606A, Assessment No. 168505).

Sponsors: Bostrom

Ken Hertz, attorney and Aaron Durkop appeared.

He sent in the card last week

Inspector Lisa Martin:

-Summary Abatement Orders issued Sep 24, 2015 for mattresses; compliance date Sep 30

-the area inspectors switched and there was a Correction Notice with a Nov 3 compliance date

-everything was re-checked around Nov 10, 2015

-work done Nov 12 on Orders issued Sep 24 for a cost of \$308 + \$160 service charge = \$468

Mr. Hertz:

-never received those Orders; we've been trying to correct this with the city for over a year; they have the wrong address

-Mary Durkop was here on the previous Orders, which we also did not receive; you instructed her to immediately go down and fill out a change of ownership; she did that; we made a least a half dozen attempts and the DSI won't change the address

Ms. Martin:

-that would have been the Certificate of Occupancy; Fire inspectors were also working on this; that would have been Sep 24 & she met the maintenance person on site who didn't even know when the garbage pick up day was; there was garbage all over; there were also vehicles on the property with expired tabs and the parking lot itself was in pretty poor condition

-Oct 2: there was 1 vehicle that was remaining; they asked to get an extension until Mon for a blue Chevy

-there was a Vehicle Abatement Order

-she spoke with the manager, Mary, at the time

Ms. Moermond:

-so, there were 2 Orders issued: 1) Correction Notice sent using the Fire C of O information; and 2) a Summary Abatement Order/Vehicle Abatement Order, which would have been issued to the owner of record at the county

VIDEO - crew removed mattress & box spring in back yard behind garages and loose scattered refuse; shopping carts and bike

Ms. Martin:

-looks like Coos Bay LLC, 3853 Central Ave NE, Columbia Heights MN; also Kaizen Property Solutions LLC, PO Box 48223, Mpls MN and Occupant received these Notices

Mr. Hertz:

-that's the wrong address; the PO Box is not correct; we tried since Feb 3, 2015 to get that changed

Ms. Martin:

*-when I spoke with Mary, she did not say that the addresses were incorrect; she obviously had the information because she called to ask for an extension; so, the address wasn't an issue when she spoke with her
-Ramsey Co records is where we get our information and it shows Coos Bay LLC, 3853 Central Ave NE, Columbia Heights is listed as one of the addresses; the second one is the C of O Responsible Party, listed as Kaizen Property Solutions LLC, PO Box 48223, Mpls*

Mr. Hertz:

*-he doesn't know why this is difficult (Ms. Moermond: you are supposed to fill out 1 form for each address; not put all the addresses on 1 form)
-that's the way we were instructed to do it
-it was faxed also*

Ms. Moermond:

-if Mary and someone in the office is having a conversation on the phone, notice was received

Mr. Hertz:

*-Mary needs to address that issue; we don't have a maintenance person on site; Aaron Durkop takes care of all of that
-we did have a Correction Order; all of those were timely abated
-something about a blue Chevy is not what we're here for; it's about some box springs, as he understands it
-if we know about these things, we can take care of them; they need to be sent to the correct address
-3853 Central Ave NE is my law firm and I did not receive that Notice; it's not where these Notices need to be sent*

Ms. Moermond:

*-the city's legal obligation is actually to send Notices to the owner of record listed with the county
-Fire Orders are sent to whoever the Responsible Party is*

Mr. Hertz:

*-we sent a letter dated Apr 6, 2015 and we followed up with 3 phone calls, in which we were directed.....
-we did receive a Notice in Dec 2015*

Ms. Martin:

*-Inspector Sean Westenhofer sent Orders Nov 3, 2015 to the Occupant; Coos Bay LLC, 3853 Central Ave NE, Columbia Heights MN; also Kaizen Property Solutions LLC, PO Box 48223, Mpls MN (same as on record with the county)
-a Summary Abatement letter was just recently sent in Jan (same addresses for vehicle abatement)*

-Oct 2, 2015 - Mary Durkop asked to have an extension to remove one of the vehicles with expired tabs, which was taken care of by Oct 6, 2015

Ms. Moermond:

-I'm going to rely on Ramsey County Tax Records for the correct address, which is the legal obligation of the city to sent the Order by first class mail
-if you're not the proper contact, Mr. Hertz, talk to Ramsey County to get that fixed
-wants to sort through all of this
-re-fill out the Fire C of O form with 1 address per form and stop by Ramsey County and have them understand who the owner of record should be

Mr. Hertz:

-the tax statements are appropriately sent to his law office but that isn't where these abatement orders should go
-re the pending Order (Vehicle with expired tabs)

Ms. Martin:

-call DSI office, 266-8989, and ask to speak with Inspector Sean Westenhofer, 266-1924
-upon checking in the computer, that pending Order is now in compliance

Ms. Moermond:

-will take a look at all the materials (scanned Mr. Durkop's)
-will Lay this Over for 2 weeks, Mar 1, 2016 LH, when she will put a decision onto the record

Recommendation is forthcoming.

Laid Over to the Legislative Hearings due back on 3/1/2016

Special Tax Assessments - ROLLS

- 61 RLH AR 16-1** Ratifying Collection of Fire Certificate of Occupancy fees billed during September 17 to October 16, 2015. (File No. CRT1606, Assessment No. 168205)
- Sponsors: Stark
- Referred to the City Council due back on 4/6/2016**
- 62 RLH AR 16-2** Ratifying Collection of Vacant Building Registration fees billed during December 16, 2014 to October 21, 2015. (File No. VB1605, Assessment No. 168804)
- Sponsors: Stark
- Referred to the City Council due back on 4/6/2016**
- 63 RLH AR 16-3** Ratifying Excessive Use of Inspection/Abatement services billed during September 28 to October 21, 2015. (File No. J1606E, Assessment No. 168305)
- Sponsors: Stark
- Referred to the City Council due back on 4/6/2016**

- 64 **RLH AR 16-4** Ratifying Property Clean Up services billed during November 1 to December 1, 2015. (File No. J1606A, Assessment No. 168505)
Sponsors: Stark
Referred to the City Council due back on 4/6/2016
- 65 **RLH AR 16-5** Ratifying Trash Hauling services billed during November 4 to 25, 2015. (File No. J1606G, Assessment No. 168705)
Sponsors: Stark
Referred to the City Council due back on 4/6/2016

11:00 a.m. Hearings

Summary Abatement Orders

- 66 [RLH SAO 16-3](#) Appeal of Gwynne Evans to an Order of Abatement at 1765 RANDOLPH AVENUE.
Sponsors: Tolbert
Gwynne L. Evans, owner, appeared.
Inspector Lisa Martin:
-Orders issued Jan 7, 2016; deadline Jan 13, 2016
-complaint: bushes are obstructing the public sidewalk
-photos
-Ms. Evans called and stated that if she were to cut these bushes back at this time, it would kill them; she contacted the Forestry Division about this and had them go take a look and they said that Ms. Evans is correct
-asked to grant Ms. Evans until spring to cut back these bushes; in the meantime, she can tie them back so that they are not obstructing the sidewalk
Ms. Evans:
-no matter what the city wants her to do, she is happy to do it
-she will tie them back
Ms. Moermond:
-will recommend time until spring
Grant until June 1, 2016 to come into compliance with the bushes obstructing the public sidewalk. In the meantime, owner will need to pull it back by tying them.
Referred to the City Council due back on 3/2/2016

Correction Orders

- 67 [RLH CO 16-5](#) Appeal of Lejing Wang and Gretchen Vanderlinden Wang to a Correction Notice at 885 CALIFORNIA AVENUE WEST.
Sponsors: Brendmoen

Lejing Wang and Gretchen Vanderlinden Wang, owners, appeared.

Inspector Lisa Martin:

- they purchased this single family home; they have it rented out as a duplex; it appears as a duplex – there's 2 separate kitchens, 2 separate living rooms, separate sleeping areas*
- they were sent a Notice*
- photos in file*
- informed them that they could go through Zoning, Planning Commission to rezone the property*
- also sent Orders re: dryer venting and furnace*
- TISH – states that it's a single family home; did not show 2 kitchens at that time*
- met with the owner at the property; he said that a friend of theirs is living in the basement with kids; there's bedrooms set up, kitchen, separate living area*
- owner asked for extra time*
- a door has been removed from the basement so there's no separation; you can go from the upstairs right into the second unit*
- they removed the stove from the main floor but upon inspection of the garage, there is a stove that matches the rest of the appliances on the first floor; he does own other rental properties; he stated that he keeps extra stoves*

Mr. Wang:

- entered a copy of the listing from 2002 stating clearly that there's a 2nd kitchen in the basement TISH*
- the home has gone through several modifications and passed all the inspections of previous owners*
- they bought the house on Aug 24, 2015 & haven't done anything structurally to make the house different; it's existed like this for the past 12 years with no issues*

Ms. Moermond:

- it went through the VB Program beginning Jan 21, 2010*

Ms. Martin:

- has a copy of Jim Seeger's report; it states, "The building is approved for 1 dwelling unit but contains 2 dwelling units. Obtain approval for additional unit or remove the excessive dwelling unit. If the additional units are approved – maintain the required fire separation between the dwelling units and between the units and common area."*

Ms. Moermond:

- a Code Compliance Certificate was issued*
- when she sees this, she sees that it was called out having a kitchen in the basement and the building staff said that the basement kitchen has to go; she doesn't know whether or not it did go but it appears to be inexistence now and it appears that the Code Compliance Certificate was issued with the 2nd kitchen being in place*
- lastly, past errors don't make this correct*

- sounds like you function as 2 homes if you have 2 different families living there*

Mr. Wang:

- has a copy of the lease with his friend; entered it into record*
- upon inspection, he asked Ms. Martin if it made a difference if they lived on the same floor*
- the house has 1 utility meter for water and electricity*
- there's no locks on the bedrooms doors or anywhere else inside the house*

Ms. Moermond:

-there's no reason why you can't have people rooming here, up to 4 unrelated adults; it comes so close to being a duplex
-she needs to know why the Code Compliance Certificate was issued and what the inspector saw at that time; did the inspector have any notes; the kitchen could have been removed and put back in again
-she needs to look into this and talk with the building inspector Jim Seeger; the building official was Steve Ubl
-in the meantime, enforcement is stayed
-will LAY this OVER for 3 weeks to Mar 8, 2016 LH

Layover so that Legislative Hearing Officer can talk to building official about the code compliance being issued in 2011 and what the inspector saw at that time. (Original layover date was March 8, owner will be out of the country so it has been rescheduled.)

Laid Over to the Legislative Hearings due back on 4/5/2016

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 68 [RLH VO 16-10](#) Appeal of Heather Meyers, SMRLS attorney on behalf of Jennifer Sarafin, to a Revocation of a Fire Certificate of Occupancy and Order to Vacate at 979 AGATE STREET, #1.

Sponsors: Brendmoen

Item #4 has been withdrawn by dept; layover to sort things out; tenant can remove placard.

Heather Myers, Southern Minnesota Regional Legal Services (SMRLS) and Jennifer Sarafin, tenant, appeared.

Ms. Sarafin:

-she just became aware of the Revocation when the building was posted

Fire Inspector Leanna Shaff:

-Fire Certificate of Occupancy Revocation issued by Inspector James Thomas Jan 11, 2016

-process started Aug 31, 2015 with no entry; there have been 4 inspections since then

-not much in repairs except for long term noncompliance

-smoke detectors are taken care of; the sanitation issues have been addressed; the cables are off the floor

-we heard from BLM Management Company that the owner canceled their contract for making repairs; owner is Leonid Markhasin, Mpls; Mr. Markhasin's phone number was listed as the same as BLM Mgmt

-not sure we will come out of this with a responsible party

Ms. Moermond:

-asked about item #4 (Ms. Shaff: unfortunately, the inspector did not give her an answer on that)

-whatever it is, it's Withdrawn

Ms. Myers:

-the Condemnation posted on the door was quite dramatic for the tenants
-her office was recently out there and took photos; she concurs that there doesn't seem to be a sanitation problem or much of any problem; it really seems extreme to have them Vacate
-she asks that this Order be Withdrawn

Ms. Moermond:

-it's a hammer when a scalpel might do but the city only has the hammer
-asked about the landlord; does he come around? Do you talk to him? What's going on?

Ms. Sarafin:

-he's just available to take our rent check; we drop it off by his work on West 7th Street

Ms. Shaff:

-note by Mr. Thomas on Feb 5, 2016: Property manager states the owner had canceled their contract

Ms. Myers:

-she just learned of this issue
-one option, perhaps, would be to LAY this OVER to give her time to look into this
-in the meantime, she doesn't see any health/life safety issues
-the tenants are also looking for alternative housing, too

Ms. Moermond:

-it's a hammer, for sure; a hammer to make sure the owner takes care of business
-looks like this may be an absentee owner, who has absented himself from all of this and that condition can't go on for any length of time; we need somebody in a position of administering the property; it might be something you can do by the way of Tenant Remedy Action
-will give you a chance to look into this
-will scan Ms. Myers pictures into the record
-the placard can come down
-in the meantime, all enforcement is stayed until we figure this out; Ms. Shaff says she is OK with this
-will LAY this OVER for 2 weeks until Mar 1, 2016 at 11:30 am

Laid Over to the Legislative Hearings due back on 3/1/2016

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 69 [RLH FCO 16-27](#) Appeal of Attorney Patricia Whitney, on behalf of Greg Bauer, to a Fire Inspection Correction Notice at 110 MAGNOLIA AVENUE WEST.

Sponsors: Brendmoen

Attorney Patricia Whitney and Greg Bauer, owner, appeared.

Fire Inspector Leanna Shaff:

-Fire Certificate of Occupancy inspection conducted on Jan 20, 2016 by Inspector James Thomas
-4 items on the list

- #1 - maintenance of 1 hour fire separation
- #4 - securing toilet to the floor
- basement - code requires 1 hour fire separation between each unit, corridors, common areas and there's none from the basement to the rest of the building
- will email the color photos

Mr. Bauer:

- the building has 5 units; he does not live there
- entered photos
- has owned the building for 31 years; it's been inspected approximately 13 times; Inspector Thomas inspected it about 7 years and it's passed every time; it has a steel door coming out of the basement
- his understanding is that in cases where you don't have fire separation in an old building in the basement, it requires 2 interconnected smoke detectors in the basement; if one goes off; they both go off
- it's a clean, empty basement; there are no fire hazards
- he has only 2 rental properties left
- there's a lot of wiring, pipes in the basement; it would be very difficult to bring this building up to new construction standards
- washer & dryer in the basement
- just 2 years ago, he had another building inspected - same scenario; the inspector walked into the basement and I told him that I had the interconnected smoke detectors and he said, "Fine" and he walked out the door; Inspector Thomas walks in and says, "Oh! You don't have fire blocking." Mr. Bauer told him that he had interconnected smoke detectors

Ms. Shaff:

- the requirement is that there's a 1 hour fire separation between all the different uses, which typically, means 5/8 gypsum board fire rated; they understand that a lot of times that's not possible; once upon a time, they accepted sprinklers over the furnace/boiler; it may have been in the past that hard-wired interconnected smoke detectors were accepted in the basement in lieu of the 1 hour fire separation but it certainly wouldn't be accepted today; this building has never lost its C of O
- Inspector Thomas did talk with Phil Owens, Fire Safety Mgr, about this
- this is a tough one
- she can understand a boom clean, empty basement with interconnected smoke detectors but laundry down there changes the whole thing

Ms. Moermond:

- reading Fire Code 703.1 - it's not clear to her

Mr. Bauer:

- he can take out the washer/dryer

Ms. Whitney:

- we have the basement/building in exactly the same situation as in prior inspections

Mr. Bauer:

- is not sure that it's cost effective to put in a 1-hour fire separation

Ms. Moermond:

- I need to figure out a way to mitigate any fire risk for this space so that a variance could be written if conditions are met
- will look at this more deeply; the code is not sufficiently clear for her purposes on how it gets rectified and also how we figure in past inspections; the fire code isn't the building code so it does adapt over time; there are different expectations over time

Ms. Shaff:

*-we could enclose the laundry room in a 1-hour separation structure or take the washer/dryer out completely
-Mr. Bauer had an electrician put in a 3rd smoke detector in the front hallway tied in with the basement smoke detectors, which was not a part of the original requirement*

Ms. Moermond:

-what's the danger of the washer/dryer that isn't presented by a boiler or water heater or furnace

Ms. Shaff:

*-there's more people usage
-the whole idea is to have compartmentalization to keep the risk lower*

Ms. Moermond:

*-wants to LAY this OVER to Mar 22, 2016 for her to look at past Orders on this; looking for additional references from Fire
-asked Ms. Shaff if she were to re-write these Orders, what would she include/exclude? to make it clearer
-right now, she can't see what the trigger is to invoke this Order; if it is invoked, she is interested in doing a condition for allowing this to continue to exist
-let's talk toilet; this inspector likes to knee toilets*

Mr. Bauer:

-in this case, he was doing place-kicking try outs for the Vikings; this was no knee; Inspector Thomas walked up to the first floor bathroom and he seemed to be checking for rotten floors; he said that he was seeing if the toilet was loose; he went to the next bathroom and he didn't see him do anything to that toilet; next, we went down to the basement; then back upstairs to the common bathroom where Mr. Thomas kicked the toilet; he said that he was just seeing if it was loose; later he went to check it with a crescent wrench and it wasn't even loose

Ms. Shaff:

-Mr. Bauer said that he'd caulk the toilet

Ms. Moermond:

*-let me know on Order #1
-we have compliance on #4 - no concern; will grant on that
-this is a broom clean, well maintained space
-will wait to hear from Fire; what logical conditions might be; have your information in by Mar 15
-LAY OVER to Mar 22, 2016 LH*

Layover so that hearing officer can look at past codes; grant the appeal on Item #4. Fire inspector will gather more information related to the basement.

FOLLOW-UP: Leanna consulted with Phil and later me. The recommendation is as follows: grant the appeal on the conditions that 1) no general storage is permitted in the basement and 2) the inter-connected smoke detectors must be installed under permit. Note, the washer and dryer will be allowed to stay in the basement.

Referred to the City Council due back on 3/2/2016

Sponsors: Tolbert

Diane Trout-Oertel, owner, appeared.

Fire Inspector Leanna Shaff:

*-this is an appointment for a Fire Certificate of Occupancy inspection that was scheduled to be done on Mar 9, 2016 by Fire Inspector Mike Cassidy
-Appellant is appealing the requirement to be in the Fire C of O Program*

Ms. Moermond:

*-asked if this were immediately next door to her house
-in your appeal, you said that it was not a rental*

Ms. Trout-Oertel:

*-yes, it is immediately next door to my house
-she and her husband live in a very old house; one of the oldest in Saint Paul; they love it but it's such a small house that they had asked this neighbor next door when they were going to sell their house; they'd like first chance to buy it as a guest house/hobby house, etc. That was about 10 years ago
-after they bought the house, they learned that it was classified as a rental property and they had no intention of ever renting it out. They looked for things to do and there were 3 options: 1) connecting the 2 houses (physically impossible); 2) re-platting the property (didn't want to do that because they eventually will be selling the houses; or 3) for use to separately own the houses (we didn't want to do that, either). So, we continued to go thru the Fire C of O Program
-recently, she learned that it could be appealed; so, here I am*

Ms. Moermond:

-this is a part of the same household; therefore, it's not necessary to be in the Fire C of O Program

Grant the appeal and owner is released from the Fire C of O Program.

Referred to the City Council due back on 3/2/2016

71 [RLH FCO 16-19](#) Appeal of Kelley Anderson to a Fire Inspection Correction Notice at 1221 WOODBRIDGE STREET.

Sponsors: Brendmoen

Kelley and Dean Anderson, owners, appeared.

Fire Inspector Leanna Shaff:

*-Fire Certificate of Occupancy inspection conducted by Inspector Jonathan Gaulke on Jan 12, 2016
-ceiling height in attic #3 is being appealed; code requires a minimum ceiling height of 7 feet over half the floor area; here, the upper level ceiling height is 6'9"*

Ms. Moermond:

*-you want a variance
-this is clearly attic space that was converted to bedroom space*

Mr. & Mrs. Anderson:

*-we have just 1 bedroom; the upstairs space is the only bedroom space in the house; 1 person sleeps up there
-there's a 7 x 9 ft room on the main level off the dining room; it has no closet nor door; it may have been the original bedroom*

-the stairs comes into the middle area of the space; there's one area on the left where their tenant has her bed set up; there's another area on the right
 -the knee wall is about 4 feet, maybe 4 1/2 ft
 -the house would be hard to rent without that living space
 -the inspector did say that room was adequate in regards to the fire inspector for bedroom size but our realtor said that they could not use it as a bedroom if we were to try to sell it
 -have owned it since 2006; they lived there for 6 years and used the upstairs as their bedroom

Ms. Moermond:

-this makes her uncomfortable
 -70 sq.ft. per person; 100 sq.ft. for 2 people (minimum requirements)
 -the inspector measures that space as 10 x 10 ft with an overflow area, as well (wondering if he's measuring from the area above 5 ft or if he's measuring the whole area; Ms. Shaff: thinks he's measuring the whole area)

Ms. Shaff:

-looks like that escape window was installed to meet code

Mr. & Mrs. Anderson:

-the house is about 1300 sq.ft.
 -large kitchen, formal dining room, den, living room, very large bathroom

Ms. Moermond:

-it should not be used as a sleeping space; it's not close to meeting fire code minimum requirements
 -you may want to talk with the City Council at Public Hearing on Mar 16, 2016; will put your photos on the record
 -will recommend denying this appeal
 -asked for some photos on the downstairs room to make a bedroom work (need variance); send an inspector out, Mr. Gaulke by Mar 15; it may not qualify as a bedroom because it doesn't have a proper egress window
 -she would like to talk to them again and make a bedroom work in the other space
 -she would go out to Jul 1 to get a room in compliance and have the attic disassembled as a bedroom

Deny the appeal on the upper level room ceiling height and grant until July 1, 2016 to have tenants discontinue using the room as a bedroom. Inspector will measure and take photos of the main level room to determine if a variance can be granted for a legal bedroom by March 15.

Laid Over to the Legislative Hearings due back on 3/15/2016

2:30 p.m. Hearings

Vacant Building Registrations

72 [RLH VBR 15-101](#) Appeal of Charnell Hudson to a Vacant Building Registration Notice at 134 ELIZABETH STREET EAST.

Sponsors: Thune

Charnell Hudson, owner and Kris Kujala, Ramsey County, appeared.

Ms. Kujala:

*-Application for Repurchase was approved by the county board Jan 26, 2016
-currently, we don't have an executed Repurchase Contract
-Ms. Hudson has to come up with the funds (approx. \$1100) to make her down payment and sign the Repurchase Contract in order regain ownership of the property; the board has given her 90 days from Jan 26, 2016, in order to execute that contract*

Ms. Hudson:

*-so far, she hasn't started any repairs because she is just working on her Repurchase right now
-is working with her case manager; we have an appointment on Feb 23 to figure out how to get this paid; we will set up an account so I make a payment directly to the county each month*

Ms. Moermond:

*-for a little while, this property belonged to the State of MN and the Certificate was Revoked because of all the repairs that are out there
-if the house is owner-occupied, we deal with the repairs differently; she would really like to see the Repurchase Contract signed, which can't happen until after Feb 26*

Ms. Kujala:

*-signing the Repurchase Contract will put Ms. Hudson in a Contract for Deed position; therefore, none of the repairs has been done because she is not authorized to make any
-but we went in and did make the health and life safety repairs*

Ms. Moermond:

*-wants to give you the full 90 days to square this up
-wants Ms. Hudson to put together a Work Plan on how she is going to address the repairs that are in the Orders, once the Repurchase Contract is signed
-she will focus on life-safety issues on the inside first
-will Lay this Over until Ms. Hudson has it in her hands
-Layover for 90 days to Jun 7, 2016*

Waive VB fee until June 2, 2016 for Ms. Hudson to get property back from Ramsey County and put together a work plan to address the repairs.

Laid Over to the Legislative Hearings due back on 6/7/2016

73 [RLH VBR 16-11](#)

Appeal of Tony Hoong to a Vacant Building Registration Requirement at 402 FRY STREET.

Sponsors: Stark

Tony Hoong, owner, appeared.

Inspector Matt Dornfeld, Vacant Buildings:

*-Vacant Building registration fee - \$2025
-was made a Category 2 Vacant Building Feb 6, 2015
-Mr. Hoong went through our Sale Review process and was approved on Jun 10, 2015
-code compliance inspection on file
-all trade permits are active
-house has not been a nuisance*

Mr. Hoong:

- is in the process of rehabbing the house
- he highlighted everything on the list that's been done
- now, mostly all building stuff is left; he and his dad are doing the building
- has passed all rough-ins on plumbing, electrical & heating
- will take about 3-4 months to finish the interior
- they replaced all the windows; exterior needs to be finished in warmer weather
- shooting to be all done Jun-Jul

Ms. Moermond:

- will recommend giving you until Jun 1, 2016 to complete the work and you will have no VB fee; if you are not done by Jun 1, she will prorate it based on how long you were in the VB Program
- go ahead and work on getting your sign-offs

Waive VB fee for 90 days.

Referred to the City Council due back on 3/2/2016

74 [RLH VBR 16-7](#)

Appeal of Richard J. Schwartz to a Vacant Building Registration Notice at 2052-2054 REANEY AVENUE.

Sponsors: Prince

Richard J. Schwartz, owner, appeared.

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy and Order to Vacate issued by Inspector Dan Klein
- last inspection done Sep 14, 2015; going on for a long time
- photos
- there's 2 structures on 1 lot; it used to have the same Fire C of O; now, each building gets its own C of O
- on Dec 16, 2015, there were 7 items left on the list
- long term noncompliance
- there are some tenant issues and some maintenance issues

Inspector Matt Dornfeld, Vacant Buildings:

- per Inspector Shaff's report and Revocation/Condemnation, we opened a Cat 2 VB Jan 21, 2016
- Inspectors Rich Singerhouse & Tom Friel went to the property and documented exterior violations also saw deficiency list on the Revocation letter; documented an oversized garage and wood shed on the lot; refuse, chairs, debris, etc. in front & back yards; Code Inspector Westenhofer has Orders on that

Ms. Shaff:

- on the letter dated Dec 16, 2015, the re-inspection was to take place Jan 5, 2016 at 9 am; there was a "No Show"
- they gave the tenant until Jan 11, 2016 to vacate

Mr. Schwartz:

- is looking for some time now that the tenant is out to correct the deficiencies; they were not given that opportunity
- background: bought property as a Cat 2 VB in 2012; he was able to do what he enjoyed: taking a disaster and turning it into something beautiful during retirement; now, he's 86 and has some problems but he's confined to taking care of his wife, who has severe dementia, congestive heart failure, partial loss of sight in left eye and left side due to a mini-stroke, etc, which make him dependent upon his son, Steve, who make a living by upgrading and renting single-family duplexes; his daughter

contracted abdominal cancer nearly 2 years ago - went thru Chemo and another treatment, was operated on at Mayo twice in addition to several other visits; about 3 months ago they said that they could do no more but suggested Cancer Center of America; they checked it out and would not be accepted unless they came up with \$250,000 in cash or appropriate insurance; for the last 3-4 months, she had been living with 2 tubes coming out of her back, 2 tubes coming out of her stomach along with a colostomy type bag, which had to be emptied every 2 hours; she could only eat what could be processed and taken through a straw; she had to sleep sitting up and her weight was under 80 lbs; they finally got insurance coverage but she could never recover enough strength to be transported to the Cancer Center; Jolene died and her funeral was just last Saturday

-the tenant had not paid her share of Section 8 and last Jun, I talked with a manager at Section 8, asking if she could stop the payments so that I could evict; that was not possible unless I evicted her, which also was not possible because if any rent is paid, the court will not evict (Catch 22); she was many months in arrears, so when I saw that there was an Order to Vacate, I was overjoyed. Finally, we could get in and do the required cleaning, carpeting, and restore a reasonable income; that though lasted until the Vacant Building Notice came and a \$2000 bill arrived

-before the first inspection, he instructed Steve to go through and check for extension cords and any obvious repairs so that he wouldn't be cited for stupid, obvious things; he didn't do that for whatever reason and he was cited for 14 items; he was struggling with Mayo but he should have let him know because the variety of items is not such that you can get someone out of the phone book to fix and I can't get out

-the 2nd inspection of Dec 16, 2015 left him with 7 or the 14 items; all of those could not be done without the tenant's participation and she refused; when he received the Dec 16 Notice, I just saw the Order to Vacate and figured that she would be out as he understood that the sheriff would see to that by Dec 31, 2015, I did not receive a copy of that or an apparent extension of 2 weeks; she finally got out approximately Jan 19, 2016 with couch and mattress to be hauled away and 4 months unpaid rent

-Steve and Mr. Klein had words several times; perhaps resulting in a stricter enforcement

-he thought that when the tenant was out, they could finish what could not be done when she was living there but it appears to be the opposite; I had no chance of making corrections before paying \$2000

-after a few days, Steve should be able to get some things done again

-he ordered new carpeting and a painter will be working there; he anticipates that everything will be finished in 10 days

-we can't do something that the tenant won't do

Ms. Shaff:

-comments: long-term noncompliance is the hardest for Fire Prevention; there were things that could have been done; when the landlord has difficulty with their tenant, that's something that they need to take care of; not put us in a position of being the bad guy by vacating the building

-photos

-first inspection 9-14 - was not able to gain access to garage & carriage house; tall grass & weeds sent to Code Enforcement

-9-30 - inspector gained access to everything

Ms. Moermond:

-scanned the letter that Mr. Schwartz read

-the property was neglected for some time; this started in mid-Sep and shouldn't have taken as long as it did

-the attitude on your son didn't help one bit

-she is truck by the fact that the city handled your problem for you even though the tenant was 4 months in arrears and you wanted the tenant out

Mr. Schwartz:

-that goes back to Jun when he talked to Section 8 about getting her out of there....

Ms. Moermond:

-what she is looking at began in Sep; has to do with the state of the house; it looks like you weren't getting rent for Sep, Oct, Nov & Dec.... you could have been taking action to get the tenant out and you didn't

Mr. Schwartz:

-his understanding from the court was that you can't evict somebody if you accept any payment toward rent, no matter how much it is; that's why I asked Section 8 to not send any more checks so that I could do that; they said, "No, you have to get her evicted and then we'll stop the payments... and "

Ms. Moermond:

-the standard MN lease talks about... Ms. Schwartz: it was a standard; don't know where we got it; it was between us and Section 8
-the property getting into this state of disrepair and the other problems - sanitary condition, clutter, etc. those are breaches of a lease which could be a reason to evict someone; you would have been managing the problem; not the city; there's no reason that you can't get into the property; you have the right and take care of these things; these are really basic things that needed to be done .. and it wasn't taken care of; she is troubled by that
-there's just a light weight list of things that need to be taken care of
-this house will benefit from good maintenance
-suggested that if his son can't get along with the inspector, maybe someone else needs to be managing the situation
-if you can get these things taken care of by Apr 1, 2016 and have your Fire C of O re-instated, you'll be out of the VB Program

Mr. Schwartz:

-we'll be done long before Apr 1, 2016

Ms. Moermond:

-if you have your Fire C of O is re-instated by Apr 1, you'll be out of the VB Program

Grant until April 1, 2016 to get Fire Certificate of Occupancy reinstated.

Referred to the City Council due back on 3/2/2016