



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Jean Birkholz, Hearing Secretary
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651-266-8585

Tuesday, July 19, 2016

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 16-347](#) Ratifying the Appealed Special Tax Assessment for Property at 740 CAPITOL HEIGHTS (File No. J1611E, Assessment No. 168321).

Sponsors: Thao

Attachments: [740 Capitol Hts.EC Letter 3-29-16](#)

[740 Capitol Hts.SA 3-29-16](#)

[740 Capitol Hts.Photos.3-29-16](#)

Kenneth R Bauman, owner, appeared.

Inspector Paula Seeley:

-Excessive Consumption fee for failure to maintain exterior property

-cost: \$120 + \$35 = \$155

-Orders sent for the 3rd time Mar 29, 2016; compliance Apr 4; re-checked Apr 4

-multiple visits & violations found at the property; SPPD requested property be monitored; is on the list of problem properties

-history: open file; SA issued 6/23/16 to remove garbage/rubbish; another EC issued 6/24/16

-more history: 1/13/16: refuse on blvd, in yard, along house; SA & garbage hauler issued; 1/20/16: refuse gone but awaiting reply from garbage hauler letter; 1/20/16:

close - confirmed service with Advanced Disposal. Abated; 11/3/15: Correction

Notice issues for vehicles on unapproved surface; 1/13/15: close, in compliance;

10/21/15: SA & garbage hauler issued; 10/27/15: close, in compliance

-sent to Kenneth Bauman at this address

-no returned mail

-photos

Mr. Bauman:

-I've got all the Orders cleaned up

Ms. Moermond:

-you are being charge for using too many code enforcement services within the year

Mr. Bauman:

-everytime I got a Notice, I cleaned up whatever they said; I have 4-5 different

roommates at any different time; they bring stuff over, it's outside and I get rid of it as soon as someone says something

-I can put only so much stuff in the back of the house

Ms. Moermond:

-this was stuff was propped up against the side of your house: gutters, kitchen sinks, plastic pieces, etc. (not properly stored up against the house)

-you can always call the inspector and tell him which day is garbage pick-up, can I have that extra day?

Mr. Bauman:

-I clean up when I have the money and the time to do it

-I've lived there for 60 years; and have 2 permanent roommates

Ms. Moermond:

-let's go with no more than 4 unrelated adults, maximum

-you can't keep having these messes outside

-the bills are going to keep coming if Orders keep coming

-will recommend approval; don't see a reason not to

Approve the assessment.

Referred to the City Council due back on 9/7/2016

2 RLH TA 16-344

Ratifying the Appealed Special Tax Assessment for Property at 771 CASE AVENUE (File No. J1611E, Assessment No. 168321).

Sponsors: Bostrom

Attachments: 771 Case Ave.EC Letter 3-31-16

771 Case Ave.SA 3-23-16

771 Case Ave.Photo 3-29-16

Cha Vang & Pa Hang, owners, appeared. Mai Vang interpreted.

Inspector Paula Seeley:

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

-failure to maintain exterior property

-Summary Abatement Order sent Mar 23, 2016; compliance Mar 27; re-checked Mar 29

-work was done by owner that generated a PAEC

-sent to Cha Vang & Pa Hang; & Occupant at this address

-no returned mail

-remove mattress springs on property near alley

Mr. Vang:

-he removed the mattress but let the box spring so the trash company could take it

Ms. Moermond:

-looking at the dates and seems reasonable to recommend deletion

-the re-check day was Sun; the inspector came on Tue, the same day that the garbage was picked up

Mr. Vang:

-he call DSI and asked for a Hmong interpreter but no one was available

Ms. Moermond:

Delete the assessment.

Referred to the City Council due back on 9/7/2016

- 3** [RLH TA 16-346](#) Ratifying the Appealed Special Tax Assessment for Property at 154 CHARLES AVENUE (File No. CRT1611, Assessment No. 168212).

Sponsors: Thao

Attachments: [154 Charles Ave.Fee Invoice 3-15-16](#)
 [154 Charles Ave.Final Invoice 4-14-16](#)
 [154 Charles Ave Inspector Notes](#)

Approve the assessment. Matthew Waite stated he was going to send in a letter for his appeal. If a letter is received, recommendation may be amended.

Referred to the City Council due back on 9/7/2016

- 4** [RLH TA 16-269](#) Ratifying the Appealed Special Tax Assessment for Property at 1032 DULUTH STREET. (File No. J1610A, Assessment No. 168526) (Legislative hearing July 19)

Sponsors: Bostrom

Attachments: [1032 Duluth St.Summary Abatement Order.3-4-16](#)
 [1032 Duluth St.Photos.3-16-16](#)

No show; approve the assessment. Legislative Hearing will NOT be rescheduled.

Referred to the City Council due back on 7/20/2016

- 5** [RLH TA 16-338](#) Ratifying the Appealed Special Tax Assessment for Property at 1110 FOREST STREET (File No. CRT1611, Assessment No. 168212).

Sponsors: Bostrom

Attachments: [1110 Forest St.Fee Invoice.3-10-16](#)
 [1110 Forest St.Final Invoice.4-11-16](#)

No show; approve.

Referred to the City Council due back on 9/7/2016

- 6** [RLH TA 16-330](#) Ratifying the Appealed Special Tax Assessment for Property at 133 MAGNOLIA AVENUE EAST (File No. J1611A, Assessment No. 168527).

Sponsors: Brendmoen

Attachments: [133 Magnolia Ave E.SAO.4-6-16](#)
 [133 Magnolia Ave E.Photos.4-13-16](#)

No show on July 5 and July 19; approve the assessment and will not be rescheduled.

Referred to the City Council due back on 8/17/2016

- 7 **RLH TA 16-340** Ratifying the Appealed Special Tax Assessment for Property at 652 MAGNOLIA AVENUE EAST (File No. J1611E, Assessment No. 168321).

Sponsors: Bostrom

Attachments: 652 Magnolia Ave E.SAO.3-17-16
652 Magnolia Ave E.Multiple EC Ltr.3-17-16
652 Magnolia Ave E.Orders.3-17-16
652 magnolia avenue east. ec. 3-28-16
652 magnolia avenue east.orders. 5-13-16
652 magnolia avenue east. excessive consumption. 6-16-16
652 Magnolia Ave E.Photos.3-16-16
652 Magnolia Ave E.Photos.3-25-16

No show; approve.

Referred to the City Council due back on 9/7/2016

- 8 [RLH TA 16-332](#) Ratifying the Appealed Special Tax Assessment for Property at 1603 ROSS AVENUE (File No. J1611A, Assessment No. 168527).

Sponsors: Prince

Attachments: [1603 Ross Ave.SAO.4-6-16](#)
[1603 Ross Ave.SAO.4-13-16](#)
[1603 Ross Ave.Photos.4-20-16](#)

*Jaime Caraballo Rivera, owner, appeared.
Laura Carroll interpreting.*

Inspector Paula Seeley:

*-Summary Abatement Order issued Apr 6, 2016; compliance Apr 13; and another SA issued Apr 13; compliance Apr 20 for removing a washer & dryer from the driveway
-work done Apr 20, 2016 for a cost of \$190 + \$160 = \$350
-some history; now, have an open file for commercial vehicles & parking on the grass
-sent to Jaime Caraballo Rivera and Occupant at this address*

VIDEO - city crew picked up washer/dryer

Ms. Moermond:

*-we have 2 sets of Orders for the same thing
-was there a communication issue?*

Mr. Rivera:

*-he was out of the country and when he came back from Puerto Rico, he thought that the woman from the church had taken them; they were not there when he left for Puerto Rico but while he was there, he had heard that they were in his driveway
-he lives at this address; he got the person who called him to donate the washer & dryer to a woman in the church; they had never been in the house
-he is here to find out if he has to pay something or.... maybe you can lower the cost*

Ms. Moermond:

-it's laudable that you were trying to help the woman from the church but she doesn't have any latitude; more than adequate Notice as provided and the work was done by the City of Saint Paul

-she can divide the payments over 2 years

-will recommend approval

-City Council Public Hearing Aug 17, 2016

Approve and spread payments over 2 years.

Referred to the City Council due back on 8/17/2016

- 9 [RLH TA 16-336](#) Ratifying the Appealed Special Tax Assessment for Property at 373 RUTH STREET (File No. J1610B, Assessment No. 168110).

Sponsors: Prince

Attachments: [373 Ruth St.Restoration Professional Invoice.3-9-16](#)

[373 Ruth St.Boarding Letter to PO.3-14-16](#)

[373 Ruth St.Photo.3-9-16](#)

Remi and David Iselewa, Cpec Exchange 40719 LLC, owner, appeared.

Inspector Joe Yannarely:

-boarding: Code Enforcement Officer Steve Magner got a call Mar 8 about an unsecured bldg & people going in and out; I went out there at 3 o'clock; there was a large missing panel from the bottom section of the garage door (photo); I called Mr. Magner, who sent a work crew out there immediately; I left a message at 399-9081 regarding the city's action as well as to remind the owner that they have 30 days left to raze the building

Mr. Iselewa:

-I saw that it was open that very day

Mr. Yannarely:

-no Summary Abatement was sent; a crew was sent for the emergency

-there have been 9 Work Orders in the past 4 years

-cost of assessment: \$395 + \$140 service charge = \$555

-this was scheduled for demolition

-the bldg is gone now but the site is not yet completed

Ms. Iselewa:

-I got a call about this Mar 8 but when I got there, it had already been boarded

-they did not give me an opportunity to board; I did respond but it was already boarded; it was 3:30

-my husband also went there

Mr. Yannarely:

-we called but did not get an answer so we sent a crew out

Mr. Iselewa:

-at 11 am I went there that very day with a contractor; I let the door open; my intention was to come back from Golden Valley; my wife called me & said that I should go and get everything shut; I called back to my wife; maybe contractor went there to save time (?); the contractor was still there and he saw that no one went inside

Ms. Moermond:

*-staff made a determination because they got a report that people were going in and out; they didn't know who it was
-it makes perfect sense that you were taking on your own demo and of course, you would be there; that's normal and fine*

Ms. Iselewa:

-there's some more to be done, I know

Ms. Moermond:

*-check with the Council Resolution
-the site was to be returned to a different state; you were served with the Resolution, which state what you needed to do
-will recommend deleting this assessment
-finish the work on the demolition*

Delete the assessment.

Referred to the City Council due back on 9/7/2016

- 10** [RLH TA 16-343](#) Ratifying the Appealed Special Tax Assessment for Property at 1271 SEMINARY AVENUE (File No. J1611E, Assessment No. 168321).

Sponsors: Stark

Attachments: [1271 Seminary Ave.SAO.3-18-16](#)
 [1271 Seminary Ave.EC Ltr.3-18-16](#)
 [1271 Seminary Ave.Photos.3-18-16](#)

No show; approve the assessment.

Referred to the City Council due back on 9/7/2016

- 11** [RLH TA 16-312](#) Ratifying the Appealed Special Tax Assessment for Property at 1232 SEVENTH STREET EAST (File No. J1611A, Assessment No. 168527).

Sponsors: Bostrom

Attachments: [1232 Seventh St E.SAO Ltr.4-7-16](#)
 [1232 Seventh St E.Photos.4-15-16](#)

Nai Lor appeared on behalf of Mai Vue, owner.

Inspector Paula Seeley

*-Summary Abatement Order issued Apr 7, 2016; compliance Apr 14; re-checked Apr 15
-work done Apr 18 for a cost of \$140 + \$160 = \$300
-sent to: Occupant; Mai Vue at this address; & Rosemary Blalock, 3701 Woodbine Ln N, Brooklyn Center, MN;
-remove box spring from back yard*

VIDEO - city crew removed box spring from back yard

Mr. Lor:

-entered his photos

-that was on the property next door; not his
-doesn't exactly know where the property line is but that car is not mine (in the photo)
-if it's on my property, I will pay

Ms. Seeley:

-looks like the line is right up to the next property
-some history; several in 2015

Mr. Lor:

-he and Ms. Seeley came up to Ms. Moermond's desk
-the other property throws a lot of mattresses and other trash into my can/property
-the car belongs to them
-bought the property Nov 2015; since then, tenants complain that it's not their stuff

Ms. Moermond:

-1236 property is flush with the property line; so, the mattress was on 1232 and that's your yard
-will Lay this Over to Oct 19, 2016; if no same/similar problems, she will delete this assessment

Layover to Oct 19, 2016 and if no same or similar violation(s), will rec deleting the assessment.

Referred to the City Council due back on 8/17/2016

12 [RLH TA 16-321](#)

Ratifying the Appealed Special Tax Assessment for Property at 1330 SEVENTH STREET EAST File No.J1611A, Assessment No. 168527).

Sponsors: Prince

Attachments: [1330 7th St E.Summary Abatement Order.4-5-16](#)
 [1330 7th St E.Photos.4-12-16](#)
 [1330 7th St E.Aerial Map.2015](#)

Melaku Teferi, owner, appeared.
An Amharic interpreter also appeared.

Inspector Paula Seeley:

-Summary Abatement Order issued Apr 5, 2016; compliance Apr 12; re-checked Apr 12
-work done Apr 13 for a cost of \$316 + \$160 = \$476
-remove all loose & scattered refuse from vacant lot
-sent to Occupant and Melaku Teferi, 1033 Hazelwood St, St. Paul
-no returned mail

Mr. Teferi:

-the neighbor (the large apartment bldg) and he share a garage; they are throwing their trash onto my yard and they expect me to clean it up; he has cleaned it up for 6 years; the owner does not live there; when their trash can is full, they throw it onto my property

VIDEO - vacant lot; city crew picked up the loose & scattered trash that had been thrown over the fence onto this vacant lot; it was very close to the fence

Ms. Moermond:

-OK; the fence is on the neighbor's property making it look as though Mr. Teferi's lot

is wider than it actually is
-asked Ms. Vang to pull up a map looking at the plat of the area
-asked Ms. Seeley if this was an old problem or what's the deal
-the property from which the trash is thrown is 1338 7th St E
-looks as though there's 7-8 feet between the fence and the property line and the dumping occurs within that area

Ms. Seeley:
-we also have a tall grass & weeds problem with Mr. Teferi's property

Ms. Moermond:
-will recommend deleting this assessment; however, you will need to keep up your property
-we will get the Orders written correctly to the next door property

Delete the assessment.

Referred to the City Council due back on 8/17/2016

13 RLH TA 16-342

Ratifying the Appealed Special Tax Assessment for Property at 832 SHERBURNE AVENUE (File No. CRT1611, Assessment No. 168212).

Sponsors: Thao

Attachments: 832 Sherburne Ave.Fee Invoice.3-9-16
832 Sherburne Ave.Final Invoice.4-8-16

Approve the assessment.

Yevgeniy V Remezov, owner, appeared along with his daughter, Aleksandra Streeler.

Fire Inspector Leanna Shaff:
-Fire Certificate of Occupancy inspection bill
-cost: \$690 + \$155 service charge = \$845
-gold card returned by Yevgeniy Remezov
-appointment letters sent: 7/16, 8/17 & 9/8/2015; correction letters sent: 10/8, 11/10 & 12/7/15 and 1/8, 2/9 & 2/10/2016
-compliance date was 3/7/16
-no returned mail
-original billing included 2 no entry fees (cannot gain access)
-Orders were sent to BLM Management, 899 7th St W, St. Paul; and the bill was sent to Yevgeniy Remezov, 1700 Four Oaks Rd, Apt 330, Eagan, MN

Mr. Remezov:
-every letter that he received he sent to BLM Mgmt Co but this year, something went wrong, they didn't go to the property
-I own the property but hired BLM to manage; they did not do a good job; the manager, Boris, was very sick and now passed away last Thu; the funeral was Fri

Ms. Streeler:
-he got mentally ill with the cancer; he didn't tell anyone about it; there was no one there
-my dad was calling them constantly; no official letters; he told my dad that the inspector showed up at the wrong time, although he was supposed to be there for the fire inspection and other issues
-Mr. ____ stepped in as new manager; he has about 25 other bldgs have similar issues

-we had no clear answer about what was going on

Ms. Moermond:

-you are the owner and the responsible person; you contracted with someone who failed to meet their contract

-now, the C of O bill is higher than it normally would have been; and taxpayers should not be responsible for picking up the bill

-arguably, if things had been going well, maybe the bill would have been \$300-\$400; now, it's twice as much because of these circumstances

-will recommend approval

Referred to the City Council due back on 9/7/2016

14 RLH TA 16-339

Ratifying the Appealed Special Tax Assessment for Property at 979 UNIVERSITY AVENUE WEST (File No. CRT1611, Assessment No. 168212).

Sponsors: Stark

Attachments: 979 University Ave W.fee invoice.3-4-16
979 University Ave W.final invoice.4-4-16

Betty Charles, owner, appeared.

Fire Inspector Leanna Shaff:

-Fire Certificate of Occupancy inspection for a mixed use 3 unit bldg

-cost: \$840 + \$155 service charge = \$995

-date Orders sent: 9/8/15; Correction letters sent 9/21 & 11/20/15

-approved with corrections Jan 13, 2016

-billing dates: 3/4 & 4/4/16

-sent to Betty L Charles at this address

-no returned mail

-we are recommending to reduce the cost by \$210; customer was charged for a comment only process; new amount to be assessed is \$785

Ms. Moermond:

-the \$995 assessment reduced to \$785 (because of a computer error)

Ms. Charles:

-has been at this property for 30 years and this is the highest increase that I have had; up to now, I've been considered to be a commercial building; her base fee should have been \$185; they charged me for both a residential bldg fee and a commercial bldg fee; that's what I'm upset about

-I talked with Ms. Shaff, who said that I had not been inspected for a while; but everyone knows, they put in the light rail, which caused a lot of problems for us; however, the inspectors always did come out; for business, it's every 3 years

-it's 3 units: commercial downstairs and 2 units upstairs

-\$247 for a 3 unit; a commercial, up to 13,999 sq.ft. is \$185; I have 3300 sq.ft.

-I should be charge the commercial fee; I've never had to pay a re-inspection fee but my initial cost should have been \$185 and when he returned, it should have been half of that

-the inspector did not send me a letter about the mistake; he just wrote it; and because my property needed work on all sides (Mar 2, 2016 and the weather was too bad to do any work) - he said he would work with me in getting everything together but that didn't happen

-so I was really concerned and upset with the types of charges DSI has come out with; I didn't have those charges for the past 30 years

Ms. Shaff:

- the last C of O inspection was approved on Sep 27, 2006 by Inspector Richard Clausen; at that time, it was a 3-unit bldg with a 3300 sq.ft. commercial space, what we call a mixed residential commercial space; nothing has changed there except that our costs have gone up a lot
- 3 units residential upstairs and commercial downstairs
- there have been some fee structure changes in the last 10 years
- the confusion arises from the costs going up

Ms. Charles:

- it went from \$144 to \$900!; if your fee went up that much, anybody would be alarmed

Ms. Moermond:

- first, this is a legitimate charge; it's a lot more complicated inspection for spaces where someone is living
- thinks that it's notable that \$210 comes off the top (there was a miscalculation) - a reason for an appeal; because I see that, it would also be legitimate to remove the service charge (\$155) from this
- will recommend a total of \$630 divided over 2 years

Ms. Charles:

- I'm not satisfied with that; I don't know what they said at the City Council but for them to charge me 2 different fees (1 for residential and 1 for commercial) is not right; I want to be charge the commercial fee only; it's what I've been charge all the time for 30 years - the commercial fee
- I live upstairs and work downstairs and that's a lot of money for me

Ms. Shaff:

- it's just a different fee structure

Ms. Moermond:

- it's a legitimate charge; will get you down to \$630 over 2 years
- City Council Public Hearing on this is Sep 7, 2016
- I will not negotiate
- will recommend approval divided over 2 years

Reduce the assessment from \$995.00 to \$630.00 and spread payments over 2 years.

Referred to the City Council due back on 9/7/2016

15 [RLH TA 16-352](#)

Ratifying the Appealed Special Tax Assessment for Property at 2274 UNIVERSITY AVENUE WEST (File No. CRT1611, Assessment No. 168212).

Sponsors: Stark

Attachments: [2274 University Ave Inspector notes](#)
[2274 University Ave W.Fee Invoice.2-15-16](#)
[2274 University Ave W.Final Invoice.3-16-16](#)

No show; approve.

Referred to the City Council due back on 9/7/2016

- 16 RLH TA 16-354** Ratifying the Appealed Special Tax Assessment for Property at 662 BURR STREET (File No. J1611E, Assessment No. 168321).
- Sponsors:** Brendmoen
- Attachments:** 662 Burr St.SA Letter.3-2-16
662 Burr St.Photos.3-2-16
662 Burr St.EC letter.3-2-16
- Approve the assessment.*
- Referred to the City Council due back on 9/7/2016**
- 17 RLH TA 16-353** Ratifying the Appealed Special Tax Assessment for Property at 1640 FIFTH STREET EAST (File No. J1611E, Assessment No. 168321).
- Sponsors:** Prince
- Attachments:** 1640 Fifth St E.SAO.2-25-16
1640 Fifth St E.Photos.3-2-16
1640 Fifth St E.EC Ltr.3-4-16
- Delete the assessment; EC letter was blank and owner did not received EC letter.*
- Referred to the City Council due back on 9/7/2016**

Special Tax Assessments - TO BE DELETED, NO HEARING NECESSARY

- 18 [RLH TA 16-345](#)** Ratifying the Appealed Special Tax Assessment for Property at 289 CHARLES AVENUE (File No. J1611E, Assessment No. 168321).
- Sponsors:** Thao
- Delete the assessment as the EC letter was not mailed to the owner.*
- Referred to the City Council due back on 9/7/2016**
- 19 [RLH TA 16-331](#)** Ratifying the Appealed Special Tax Assessment for Property at 116 LAWSON AVENUE EAST (File No. VB1611, Assessment No. 168812).
- Sponsors:** Brendmoen
- Code compliance inspection approval issued two months into next vacant building cycle; recommends deleting the assessment.*
- Referred to the City Council due back on 8/17/2016**
- 20 [RLH TA 16-348](#)** Ratifying the Appealed Special Tax Assessment for Property at 2083 MARSHALL AVENUE (File No. J1611E, Assessment No.168321).
- Sponsors:** Stark
- Attachments:** [2083 Marshall Ave.EC Ltr.3-10-16](#)
- Inspector Gavin states excessive consumption issued in error; delete the*

assessment.

Referred to the City Council due back on 9/7/2016

- 21 [RLH TA 16-337](#) Ratifying the Appealed Special Tax Assessment for Property at 652 OAKDALE AVENUE (File No. CRT1611, Assessment No. 168212).

Sponsors: Noecker

Attachments: [652 Oakdale Ave Payment](#)

Delete the assessment; payment received and processed at DSI.

Referred to the City Council due back on 9/7/2016

- 22 [RLH TA 16-335](#) Ratifying the Appealed Special Tax Assessment for Property at 197 SEVENTH STREET EAST (211 SEVENTH STREE EAST) (File No. J1610B, Assessment No. 168810).

Sponsors: Noecker

Attachments: [197 Seventh St E.Email to delete.7-11-16](#)

Mistakenly sent to assessment; delete the assessment.

Referred to the City Council due back on 9/7/2016

Special Tax Assessments

- 23 **RLH AR 16-52** Ratifying Collection of Fire Certificate of Occupancy fees billed during February 15 to March 15, 2016. (File No. CRT1611, Assessment No. 168212)

Sponsors: Stark

Attachments: Assessment Roll

Referred to the City Council due back on 9/7/2016

- 24 **RLH AR 16-53** Ratifying Collection of Vacant Building Registration fees billed during December 15, 2015 to March 18, 2016. (File No. VB1613, Assessment No. 168815)

Sponsors: Stark

Attachments: Assessment Roll

Referred to the City Council due back on 9/7/2016

- 25 **RLH AR 16-54** Ratifying Excessive Use of Inspection/Abatement services billed during February 25 to March 30, 2016. (File No. J1611E, Assessment No. 168321)

Sponsors: Stark

Attachments: Assessment Roll

Referred to the City Council due back on 9/7/2016

- 26 **RLH AR 16-55** Ratifying Boarding and/or Securing services billed during March 2016. (File No. J1610B, Assessment No. 168110)

Sponsors: Stark

Attachments: Assessment Roll

Referred to the City Council due back on 9/7/2016

11:00 a.m. Hearings

Fire Certificates of Occupancy

- 27 [RLH FCO 16-91](#) Appeal of Dennis Leo to a Correction Notice-Complaint Inspection at 2034 REANEY AVENUE.

Sponsors: Prince

Attachments: [2034 Reaney Ave.appeal.6-22-16](#)
[2034 Reaney Ave.Photo.6-15-2016](#)
[2034 Reaney Ave.Leo Ltr.6-30-16](#)
[2034 Reaney Ave.Leo Ltr.7-21-16](#)
[2034 Reaney Ave.Leo Ltr.8-7-16](#)

Dennis Leo, owner, appeared.

Fire Inspector Leanna Shaff:

*-we were here on Jun 28, 2016 for this appeal
-the inspector was to access the building, write Orders, take some pictures and Mr. Leo was going to give you a plan for compliance*

Mr. Leo:

-I talked with my attorney yesterday; I didn't get this until Sat and one of the things in there was to go to a class to be a landlord; my attorney told me that I didn't need it to get a Certificate of Occupancy

Ms. Moermond:

-that is something that can be appealed

Mr. Leo:

-I had lived there 30+ years; my wife passed away and I had 2 young children; five years later, I thought that it would be better to get out of that neighborhood, so, I moved to White Bear Lake; my disabled son lives in this house; when I moved out, the homestead stayed on the house because of my son; all was fine; then, my 2nd son, who was caring for my disabled son, got married, so about 2 years ago, he moved out

-now, his disabled son just moved out

Ms. Moermond:

-noted that homesteading of a property does not have to do with whether or not it requires a Certificate of Occupancy

Mr. Leo:

-in my attorney's opinion, I don't need the C of O; he said the house is unoccupied and I was in the process of selling it; had a daughter who was living in an apartment building and was being stalked; so, for her safety, we thought that we'd move her into this building for a short time until we could find some other place safe for her; and since I never rented the house; hadn't collected any money for it and is going to sell the house, I didn't need the C of O
-my attorney is Joe Dunnary, Dunnary & Smith

Ms. Moermond:

-asked Mr. Leo to provide the necessary contact info for Mr. Dunnary, so that he can be included in the correspondence
-the exterior code violations continue to be a concern regardless of whether you have a C of O or not

Mr. Leo:

-that is fixed; the inspector said, "Yup! Looks fine." But he didn't take it off the list and didn't put a note on that it was taken care of
-he hasn't yet fixed the steps; the reason that the steps aren't fixed is because he has called 89 contractors; of those, he could get only 6 to come out; 1 came out last Fri (had called him 2 months ago) and he entered the estimate for which the contractor said that he doesn't need a permit

Ms. Moermond:

-you don't necessarily need a permit for the steps

Ms. Shaff:

-it may or may not; it is on a slope and may have some issues working with the hillside

Mr. Leo:

-once my daughter is out of the house, the house will be sold (she moved in just 2 weeks ago)

Ms. Moermond:

-thinks his attorney should have a look at the situation
-she has not yet had a chance to do a careful review
-will Lay this Over so that Mr. Leo's attorney can be present for the discussion on whether or not you should be in the C of O Program
-at any rate, you may or may not get out of dealing with these Orders

Ms. Shaff:

-the gas can needs to be removed from the basement immediately

Ms. Moermond:

-move the gas can within 48 hours - out of the house or you will not get your Lay Over
-an inspector will go out and check

Mr. Leo:

-he will be gone for most of the month of Aug

Ms. Moermond:

Layover to August 2, 2016 at 11:00 a.m. provided that the gas can is removed from basement area. Need attorney present at next hearing.

Laid Over to the Legislative Hearings due back on 8/2/2016

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 28 [RLH VO 16-27](#) Appeal of Sam Manning, Southern Minnesota Regional Legal Services, representing Gordon Anderson, to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate plus Summary Abatement Order at 134 CASE AVENUE.

Sponsors: Brendmoen

Attachments: [134 Case Ave.appeal.7-12-16](#)
[134 Case Avenue-7-13-16 Photos](#)
[134 Case Avenue-6-20-16 Photos](#)
[134 Case Avenue-6-14-16 Photos](#)
[134 Case Avenue-6-10-16 Photos](#)
[134 Case Ave.Vehicle Abatement Order.6-10-16](#)
[134 Case Ave.Manning Ltr.7-21-16](#)
[134 Case St.Cleaning Invoice.6-25-16](#)
[134 Case St.Lightner Email.7-28-16](#)

Sam Manning, Attorney, Southern Minnesota Regional Legal Services (SMRLS), appeared on behalf of Gordon Anderson, owner; also Lauren Lightner, House Calls Program

Inspector Lisa Martin:

*-Jun 9, 2016, we received a complaint on the exterior of the house
-we have Summary Abatements for all the vehicles that are in the driveway; a very large recreational vehicle, not currently licensed and appears inoperable; a collectors vehicle, a Golden Hawk with collectors plates, inoperable, a Ford commercial vehicle, no tabs, appears inoperable; there's another vehicle in the driveway with current tabs but that one goes only 20 mph - needs repairs; and his current vehicle, licensed & operable
-in yard, there's tree debris and things that he's been removing from the house
-interior of house is probably one of the worst cases that she's seen in a long time: a report of over 30 cats (there were many; she could not tell how many)
-so far, Mr. Anderson has made great progress; at that time, we gave him 3 days and he had the kitchen done; gave him another week and he had the bathroom done; then, gave another couple weeks and he worked on a room
-we've been going week by week to try to resolve these issues that have been identified; obviously, health & safety are concerns; Mr. Anderson has continued to reside in the house
-air quality is a concern; House Calls has several programs in place; unfortunately, last week they had a dumpster delivered and a crew ready to help remove things; however, Mr. Anderson was concerned that they were going to throw out things that he likes, so he got rid of the dumpster; so, we went back to square one*

-met with Mr. Manning and Ms. Lightner yesterday on site to evaluate where things are at
-there's no hot water; he removed the hot water heater (no permit)
-sewer seems to be backing up; he had Roto Rooter out there while she was at the property yesterday; it appeared that he had been working very hard on the basement - a lot of the clutter has been removed; however, many of the wet & moldy cloth items are piled up; Mr. Anderson wants to wash them and keep them for painting (they are painting drop cloths)
-the home is Condemned; Vacate date has long passed - we have continued to work with Social Services and Mr. Anderson and he continues to make progress; after speaking with Ms. Lightner and Mr. Manning, they do have a plan in place to resolve this issue very quickly
-health & safety concern of interior air quality is the overwhelming smell of cat urine & ammonia; you can smell it from outside the house; they have a plan in place to get a crew in to help clean that out; Mr. Anderson needs to commit to making that happen; some of the carpeting may need to be removed
-we need hot water
-as of yesterday, all of the cats were not at the house
-they are trying to work with him to make sure that he can remain in his home but we need to see more significant progress to make sure that it's safe

Mr. Manning:

-Mr. Anderson understands that certain things need to take place: sanitation crew needs to come in - his concern is that he wants to be able to look through his stuff before the sanitation crew comes out because he has a lot of stuff; his desire would be for at least, 3 weeks to do that, then the sanitation crew can come out
-we can get the hot water heater in if we can get the main basement cleaned out and sanitized very quickly

Mr. Anderson:

-we were talking about 1 section at a time
-I wash and heat water on my stove and take a bath every day since Feb 4, 2016; he fell down Feb 4 on his right foot; he looked down and his foot was on backwards; he hobbled to the house, laid down for 5 minutes then went to Regions to have it X-rayed; he broke 3 bones, which laid him up for a long time
-the hot water leaking was bad and he got tired of mopping it up so, he disconnected it, drained it in the wash tubs, drained it and took it out of the house himself - setting at the bottom of the steps empty
-he's been painting all his life; his paint drop cloths were in a metal cabinet-they were sopped; he wants just a few of those; he goes to the laundromat

Mr. Manning:

-got a plan in place to get the hot water heater in within the next week or so, so he can start to get the rest of the house sanitized; then, he needs about a month to get the rest of the stuff sorted

Mr. Anderson:

-there were only 9 cats; a gal called Giselle Mckenzie came over who will give me free food and more cat litter
-there are only 3 cats now - the legal limit

Mr. Manning:

-Mr. Anderson is working to make things better; he has nowhere to go if he has to leave the house, so, we are working with the city to bring it into compliance, especially, the air quality

Mr. Anderson:

-after 4 1/2 months, he had a bunch of clothes in the bathroom; he went to put them in the washer and left to get some food; when he came back, the washer had overflowed; it never shut-off

Mr. Manning:

-apparently, there was dirt in the drain (from potting soil in basement along with cat fecal matter); pretty well cleaned up now

Ms. Moermond:

-and then, you sent away the dumpster

-we're at a place where your ability to sort is going to be limited; she apologized but decisions are going to be made more quickly that she thinks you're ready to process them

-is concerned about the hot weather and the air quality in the house

Mr. Anderson:

-he has ceiling fans in every room; he has central air-used only once when he first moved in several years ago; it's very costly to run; however, it works; he's on a fixed income

Ms. Moermond:

-encouraged him to use the central air for a few days; it needs a fresh filter for the system; she is worried about his health

Mr. Anderson:

-his regular refrigerator went out, too, but he bought a small one to handle his insulin

Ms. Lauren Lightner:

-Mr. Anderson qualifies for a free big refrigerator from Warner Stellan; and he qualifies for a hot water heater, too; she wants him to get Meals on Wheels or another elderly program but he needs a large refrigerator because some of those meals are frozen; but in order for these contractors to come into the house, it has to be cleaned out and in order to get it cleaned out, some things will need to get thrown -doesn't know if there are funds available to do the clean out in 2 shifts; thinks that it has to happen at one time

Ms. Moermond:

-thinks that there will need to be new paint drop clothes purchased as Goodwill or somewhere else later

-we need to move forward fast because she is much more worried about his life safety than about salvaging a few material goods

-if you want to maintain your own household with your own pets, you will need to have these very basic things; you need a refrigerator for the food to freeze the Meals on Wheels food; you need the hot water heater to be able to complete the cleaning proces; they are top priority; then, the sanitizing....

Ms. Lightner:

-the sanitation has to come first because those contractors are not willing to come out due to the smell

Ms. Martin:

-we would also require full access to the house; he has not allowed us in the living room, the garage, etc.

-cats have been stored in the RV, too

Mr. Anderson:

-those 2 cats are at my son's; and Animal Control won't accept those cats Jul 23
-he cleaned the basement himself on his hand and knees; scubbed the floor, etc; I worked 12-hour days

Mr. Manning:

-the living room has been blocked off from the cats - completely closed off area

Mr. Anderson:

-he was a painter, a drummer and a sign painter - that's what he did all his life
-he played for Tom Trend from 3-6:30 at the Boulevard; he's an announcer on public radio

Ms. Lightner:

-she has secured funding up to \$1250 for the sanitation crew, Quick Turn; they are ready within a week to do the work
-she can get a dumpster out in 24 hours, as long as Mr. Anderson moves some vehicles in his driveway; if he doesn't move them, we need a street permit - could be a couple extra days
-believes that to get the house sanitized, more funding will be needed; there's been a lot of cat activity

Mr. Anderson:

-he said that he'd move the vehicles this weekend
-the cats have never been in the living room; he has electronic drums in there; amplifiers; lots of drums; musical instruments; a lot of musical stuff
-no cat stuff in there; never been

Ms. Moermond:

-in order for you to stay in your house, there are conditions:
-1-Inspector Martin needs to have full access this week; she needs to check everywhere in all of the house
-2-by the end of next week, the house needs to be cleaned and sanitized
-3-by the end of the following week, we need to get the hot water heater and refrigerator
-you need to be making decisions about the things you want to save; don't sort everything; think of what you want
-Ms. Lightner is calling the shots on cleaning/sanitizing; the crew goes in and the crew does their work under her direction and her supervision; it's on the county's tab
-when there is a cat house like this one, rodent infestation, etc. is a possibility; everything needs to be cleaned and sanitized
-if there's a failure in getting all this done, she will give him a Vacate date
-she is uncomfortable with him living there now; this is not a safe/healthy environment

Ms. Martin:

-what about the Summary Abatements for the vehicles in the yard?
-we can extend the SA on the yard/tall grass & weeds until after the house and vehicles are taken care of (inoperable and without tabs; commercial vehicle; RV); if not taken care of, the city will tow them to the impound lot

Ms. Moermond:

-the cost of towing/storing at impound lot until they can be auctioned will become an assessment onto the property taxes; so, it's best to have this towed privately
-let's go with an extension until Jul 29 on the vehicles

Mr. Anderson:

-a tree fell down about a month ago; he has an old apple tree and a couple that belong to the city; Ms. Martin was concerned about the tree debris in the alley, etc.... but they are not his trees; they are the city's and the city should clean those up; that was one of her big problems; if the city could get that out of there, it would make him happy, too

Ms. Martin:

-there's really not an alley, per se; it's basically treated like an easement; he cut down some of the branches that are actually in his yard; there's also a boat with the flat tires on an unapproved surface

Ms. Moermond:

-Jul 29th she can live with

-if there is a failure to execute on these things, Aug 5, 2016 will be the Vacate date

-if things go off the tracks, if you need me; if we need to do some revision; if something happens, professional folks, let me know

Grant extension to end of this week to provide Lisa Martin access to all portions of building; grant until the end of next week, July 29, to have the house cleaned, sanitized, have a refrigerator in the house and hot water heater installed as well as removal of all vehicles and wood/tree debris in back yard.

If failure to meet deadlines, owner will need to vacate by August 5.

Referred to the City Council due back on 8/3/2016

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 29 [RLH FCO 16-99](#) Appeal of Vatou Her to a Correction Notice - Re-Inspection Complaint at 1111 BUSH AVENUE.

Sponsors: Bostrom

Attachments: [1111 Bush Ave.appeal.07-11-16](#)

[1111 Bush Ave.photos.6-30-16](#)

[1111 Bush Ave.photos.6-2-16](#)

[1111 Bush Ave.Her Ltr.7-22-16](#)

Vatou Her, owner, appeared.

Fire Inspector A.J. Neis:

-Fire Certificate of Occupancy was approved with Conditions

-remaining violation: parking pad is concrete; it appears that at some time, there used to be a garage on the property has been torn down; however, the parking surface had deteriorated substantially; the concrete is broken and there are several cracks; the surface must be maintained

-the Appellant is asking to not have to do this because the property is in the process of being sold

-whether the property is sold or not, it still needs to be done

Ms. Moermond:

-asked Mr. Her and Mr. Neis to come view the photos with her

-there's some cracked cement; also a lot of bald area in the back yard

Mr. Neis:

-the bald area is where they are parking on an unapproved surface, which should be grass

-the cement slab is cracked

Mr. Her:

-he has put grass there already

-in process of selling house; the new owners will probably want to put new grass there, so.....

Ms. Moermond:

-it's in terrible state of repair, which you know

-if someone buys it and wants to put in something different, OK; but she is not willing to let it go indefinitely; this is a valid Order and will put a deadline on it: Oct 31, 2016

-please disclose this to your purchaser that there is this Order that the concrete must be repaired/replaced, etc.

Deny and grant an extension to October 31, 2016 to address the cracked and damaged parking surface. If owner decides not to correct the parking surface, he will need to disclose the issue upon sale of the property. Deny and grant an extension to October 31, 2016 to address the cracked and damaged parking surface. If owner decides not to correct the parking surface, he will need to disclose the issue upon sale of the property.

Referred to the City Council due back on 8/3/2016

30 [RLH FCO
16-104](#)

Appeal of Gail Koslowski to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 1692-1694 EDMUND AVENUE.

Sponsors: Stark

Attachments: [1692-1694 Edmund Ave.appeal.07-13-16](#)
 [1692-1694 Edmund Ave.Brown Ltr.7-22-16](#)

Cornelius E Brown, owner, appeared.

Fire Inspector A J Neis:

-Fire Inspection with Corrections Notice issued by Inspector Laura Huseby

-doesn't know what's being appealed except there's a need for more time and the grounding meter jumper in the basement needs to get done; there are some electrical issues that need to be taken care of re an improperly wired receptacle

Mr. Brown:

-will get his electrician, Michael Jones, to come over; he made an appointment to get it done

-he just needs additional time

Mr. Neis:

-this has been appealed before; the appeal was denied and an extension was granted to May 30; and if the work was done, an extension would be granted to Jun 30; he called the inspection on Jun 30th, and asked the inspector for another 7 days; now, he's appealing for more time

Mr. Brown:

-due to storm damage

-we're going to get it done as soon as we can
-the yard has been cleaned thoroughly; he has the electrician lined up

Mr. Neis:
-the grounding meter you can do yourself

Ms. Moermond:
-this is the last time I want to put this in front of the City Council

Deny and grant an extension to September 1, 2016 to address the items in the July 8th Fire inspection order.

Referred to the City Council due back on 8/3/2016

31 [RLH FCO
16-102](#)

Appeal of Randy Moua to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 1055 FULLER AVENUE.

Sponsors: Thao

Attachments: [1055 Fuller Ave.appeal.07-12-16](#)
 [1055 Fuller Ave.photos.6-14-16](#)
 [1055 Fuller Ave.photos1.05-13-16](#)
 [1055 Fuller Ave.photos2.05-13-16](#)
 [1055 Fuller Ave.photos3.05-13-16](#)
 [1055 Fuller Ave.photos4.05-13-16](#)
 [1055 Fuller Ave.Moua Ltr.7-22-16](#)

Randy Moua, owner, appeared. (Mai Vang interpreted.)

Fire Inspector A.J. Neis:
-Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Robert Corey
-he spoke with Mr. Corey about this
-he wrote 3 violations as 1 key item: in the garage, the owner is using some multi-plug adaptors for tools/appliances that need to be plugged right into a wall electrical receptacle
-he was using a 6-plug multi-plug adaptor for multiple appliances
-since then, one of the freezers was moved into the basement of the house; there are still 2 appliances in the garage; now, he needs to plug the remaining refrigerator and freezer each into a wall outlet, which will resolve the issue

Mr. Moua:
-he has previously warned the tenant about that; there are not enough outlets in the garage for all that usage; he will hire an electrician to put more outlets into the garage

Ms. Moermond:
-and please remove those 6-plug multi-plug adaptors

Mr. Neis:
-the issue we have is that it's hard to continue to monitor; perhaps there's a language barrier

Ms. Moermond:
-by Sep 1, have an electrician install more outlets in the garage

Mr. Moua:

- they did move one of the freezers to the basement
- he will try to get 2 additional outlets

Mr. Neis:

- will Withdraw items #2 and #3
- we have only the multi-plug adaptor as a violation; technically, they would not need to put in another outlet; there are 3 Orders for basically, the same violation - a triplicate Order, in his opinion

Ms. Moermond:

Grant an extension to September 1, 2016 to address the permanent outlet in the garage. Permit is required. Item #3 is withdrawn by DSI.

Referred to the City Council due back on 8/3/2016

32 [RLH FCO
16-100](#)

Appeal of Jason MacDonald to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 506 LEXINGTON PARKWAY NORTH.

Sponsors: Thao

Attachments: [506 Lexington Parkway N.appeal.07.11.16](#)
[506 Lexington Pkwy.photos1.04-22-16](#)
[506 Lexington Pkwy.photos2.04-22-16](#)
[506 Lexington Pkwy N.MacDonald Ltr.7-22-16](#)

Devin Dyrdaahl, Property Mgr, appeared on behalf of Jason MacDonald, JD MacDonald Enterprises LLC, owner.

Mr. Dyrdaahl:

- there were communication issues - owner didn't think that he needed to install a fire rated ceiling
- he provided video pictures; he finally got to the property and decided to expedite the larger repair; now, he just asking for an extension in time rather than contesting the need to do it

Fire Inspector A J Neis:

- Fire Certificate of Occupancy Final Notice issued by Fire Inspector Sebastian Migdal Jun 24 with the re-inspection on Jul 26, 2016
- process started in Apr 2016
- this would be the Final Notice before they would be taking adverse action; he would be Revoking due to long-term noncompliance

Mr. Dyrdaahl:

- the tenant also verbally agreed to longer use the downstairs while we're rehabbing it
- permits have been pulled; he believes that there has been an inspection
- the owner is looking for 4 months more time

Mr. Neis:

- permits have been obtained within the last couple of weeks for the furnace and for the water heater

Ms. Moermond:

- you guys are not going to ge 4 months but we can help

-how about 8 weeks: Sep 23, 2016

Grant an extension to September 23, 2016 for compliance.

Referred to the City Council due back on 8/3/2016

33 [RLH FCO
16-105](#)

Appeal of Barry Star to a Fire Inspection Correction Notice at 881
MARYLAND AVENUE EAST.

Sponsors: Bostrom

Attachments: [881 Maryland Ave E.appeal.7-13-16](#)
[881 Maryland Ave E.Photos #1.7-13-16](#)
[881 Maryland Ave E.Photos #2.7-13-16](#)
[881 Maryland Ave E.Photos #1.7-15-16](#)
[881 Maryland Ave E.Photos #2.7-15-16](#)
[881 Maryland Ave E.Star Ltr.7-22-16](#)

Barry J Star, owner, appeared.

Fire Inspector A J Neis:

-Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Efrayn Franquiz

-he spoke with Mr. Star last week on the phone, at which time he had concerns with the inspection and the inspector

-several violations are listed

-Appellant is appealing a large chunk of the Orders

- #1-repair hollow core doors; that was appealed back in 2000 and were allowed to continue until in need of major repair/replacement

-also appealing cracks; photos in file = can see some larger ones that need attention

-other issue: smoke detectors in the hallway; now, there's evidence that there used to be hard-wired smoke detectors in the hallways but were taken out and replaced with battery operated ones; that was something that DSI did allow property owners to do, especially if they had a lot of malicious alarms or unintentional alarms due to cooking; in this case, Mr. Star indicated that the galley style kitchen is next to the bedroom, which is where the smoke detector is supposed to be; so everything someone is cooking, the steam from a pan can set off the smoke detectors; so, we did allow him to re-locate them into the bedrooms

-doesn't believe that it was ever appealed before but it was standard practice that we would allow; personally, he is not a fan of that; there's no code that says we could allow that; it was also prior to some of the newer technologies available

-we would like to see the smoke detectors back in the hallways for several reasons

-other issues are basically from deferred maintenance

Mr. Star:

-has had quite a number of C of O inspections over the years; this inspection was very bizarre; I don't know this inspector - have never met him; the inspection was set up for 10:45 am; I got there 15 minutes early and the tenant text me and said, "The inspector is wondering why you're not here and he came in the building;" which he doesn't think is according to protocol; he just goes ahead and inspects the building without me or any property manager there; and he picked up some nit-picky little things; this guy is not cooperative; he's like an attack dog; there are legitimate items on the list but also a lot of little picky things; he harassed the tenants and he kept asking questions about me; then, he went upstairs to another tenant and kept saying, "These doors are illegal" - the entrances doors; I was unclear about a lot of what was

going on; after he left, I stayed around for a while and he came back; I asked me why he went into the building without me; we went back into the building and he started mumbling about the hollow-core doors on the entrance of the apartments and showed me a couple things; by then, I was so infuriated that I couldn't even see straight; when he got the list.... it was ridiculous; he should not be working for the City of St. Paul; he's like an attack dog

-let's go down the list

-suggested that maybe Mr. Neis could come out and go through the building again and he'd go along with anything that Mr. Neis thought was reasonable

-smoke detectors: how do you know that it's not a junction box?

Mr. Neis:

-smoke detectors: he has been in tens of thousands of very similar buildings and if you've seen one you've seen them all; the other reason is that the code perviously required the smoke detectors and still does, to be installed outside of the bedrooms; so, when you see no smoke detector outside the bedroom and see one inside, that's another indicator; and when they required the hard-wired smoke detectors, they typically ran that junction box within a foot or so of the light.... because it was easy for the electrician to jump the wire (all are red flags)

-from a safety aspect, when someone sleeps with the bedroom door closed and have left a pot on the stove cooking and may have had 1 too many drinks, etc.--- the door is closed; the smoke detector is in the bedroom; they get up to a raging inferno outside their bedroom door and maybe the door is burnt thru-----now, it's too late; that's why they put smoke detectors outside the bedrooms

Ms. Moermond:

-we won't solve all of this today; she has a couple of homework questions for staff; one has to do with any changes in the code for smoke detectors since the mid-90s or so... and you were granting equivalences allowing for removal of a hard-wired smoke detector in one location in lieu of a battery operated smoke detector in another location; she wants to know, is it still valid - are we operating under the same set of rules, location wise or did state law change and we need to figure out some way.....

-look at those codes and check out the hollow door notes in the file; it may be an honest misunderstanding where Mr. Franquiz was probably communicating replacement of the door not knowing of the note in the file - previous information

-when it comes to moments like this, she likes to get things documented

Mr. Star:

-the confusion about the hollow-core door was when I wasn't present for his inspection and he made a list with various doors; I just want to cover myself in case he actually was talking about hollow-core doors; Mr. Neis said he wasn't so, it's a non-issue

Ms. Moermond:

-I have photos of cracks in the ceiling; come look at the photos yourself; Mr. Neis joined them

-the cracks are not miniscule; they are evident that they need maintenance, maybe not immediately but they need attention

-the carpet needs to be cleaned; if that's permanent stain and worn out, then, it needs replacement

-she understands that there's a lease holding the tenant accountable for this; right now, it's you that the city is holding responsible

-ultimately, I want to get a better idea of the hollow-core doors, the smoke detectors and the cracks in the ceiling

Mr. Star:

-he bets that 99% of the inspectors who come out would never cite those cracks in the ceiling

-the same woman that has the dirty carpet has broken the closet doors but she doesn't want to pay for them because she doesn't have any money

Mr. Neis:

-notes that if his inspectors aren't calling a crack of this substance 99% of the time, he needs to train his inspectors to look for things like that

Ms. Moermond:

-she does not control your getting another inspector to come out

-the closet doors should be there and you need to sort out who's going to pay for it; things should be done in a professional state of repair

-with respect to Mr. Franquiz, his supervisor is Leanna Shaff

Mr. Neis:

-effective Jul 1, Inspector Franquiz will be transferred to my team

-he is willing to staff an inspector for Mr. Star himself

Ms. Moermond:

-if you want to take your concerns about the inspector higher, the next stop would be Phil Owens, Supervisor Neis' boss

-we'll get back to you on the smoke alarms

-your current deadline is Jul 29, 2016; let's go to Aug 19, 2016

Forthcoming recommendation on the smoke alarms; grant to August 19, 2016 for the other items to come into compliance.

Referred to the City Council due back on 8/3/2016

34 [RLH FCO
16-101](#)

Appeal of George Stone to a Fire Certificate of Occupancy with Deficiencies at 1079 MARYLAND AVENUE EAST.

Sponsors: Bostrom

Attachments: [1079 Maryland Ave E.appeal.07-11-16](#)
[1079 Maryland Ave East.photos1.06-24-16](#)
[1079 Maryland Ave East.photos2.06-24-16](#)
[1079 Maryland Ave East.photos3.06-24-16](#)
[1079 Maryland Ave E.Stone Ltr.7-22-16](#)

George B Stone, owner, appeared.

Fire Inspector A J Neis:

-Fire Certificate of Occupancy Correction Notice issued by Efrayn Franquiz

-appealing #24: 2nd level is an apartment with a stove in it; inspector indicates that it's a single family dwelling and it needs to be re-converted back to a single family home

Mr. Stone:

-I'm appealing the 2nd floor gas line stove

-his parents bought this house in 1992; his dad passed in 1993; then, he moved in with his mother in 1996 and took care of her until she passed in 1999; he lived upstairs and that upstairs has always had a stove - always had a gas line; they did not put it in; he doesn't know when it was put in; and, at the last inspection nothing

was said about it; he tried to talk with the inspector about it's history but he suggested that I come down and appeal

Ms. Moermond:

-who lives here now

Mr. Stone:

-I lived there until 2008; I was remodeling the house; a young lady with a child approached him about living there, so she signed a lease; weeks later, her boyfriend showed up; they eventually married and had a 2nd child; then, her sister showed up with a child; she was upstairs; since then, she's had another child; Jennifer, the woman he rented it to told me that her sister was a vulnerable adult and she was trying to take care of her because people take advantage of her; they've lived there for 6 years

-he told them that he didn't want police calls or drugs or violence and he never had any of that

-they are nice people with children

-now, they have 4 dogs in the house and a cat and the house is being destroyed

-he had told them that how this inspection goes determine whether or not they'd have a lease

-when the inspector comes, I try to address everything

-but, I'm done; I'm not going to renew their lease if they are allowed to stay until Feb, 2017

-the market is good; I will tear that house down and re-build it and put it on the market

-will do everything I can to address every issue

-the tenant upstairs and she said that the inspector had made a comment that the floor you put in earlier he's going to make you tear it up (I met him the first time; I assisted him, etc; I couldn't come to the second inspection but when she told me that, I found that very odd...."I'm going to make him tear this up and do it over again." - that's an awful thing to say to somebody

-I'm tired of being bullies; tired of being threatened; I'm exhausted by this; I love that home; it means a lot to me but I'm going to sell it as fast as I can; it's not worth it; I'm losing money now

Mr. Neis:

-looking at the violations, a bulk of them appear to be tenant caused, if not the majority (dark stains in the living room; they have 4 dogs and a cat)

Ms. Moermond:

-having the gas line stove upstairs is an earmark that there's a duplex in the works; is there a separation between the 2 living spaces such that tenants are dead bolted from getting back and forth between the 2 spaces; is that the case?

Mr. Stone:

-she can lock it from the inside and someone put a dead bolt lock on the outside; I don't run a plantation; I don't lord over them; I ask them; I plead with them

Ms. Moermond:

-so, you have created an illegal duplex; it's your property - your responsibility

-if you happen to have a stove in the basement and a little kitchen area and a TV room, a refrigerator, etc. and your mother-in-law has a bedroom down there but the house is open - there's no locks between the spaces.... all one unit, that's OK

-here, a duplex has been created and the Order is to un-do it; the removal of the gas line/stove makes good sense; I need to have this deconverted back to a single family home; get rid of the locks

-and, there's an illegal number of animals

-if it were actually a duplex, there would need to be other kinds of separations

Mr. Stone:

-I agree with you, totally

-I've completed about 95% of the to-do list

-he has spoken with them directly and they say that they are looking

-Ashley told him that she would have to go into a shelter with her children because she can't stay with her sister

-he told them that they could go anytime; he will release them from their lease and he will do his best to repair it and put it on the market

Ms. Moermond:

-repair deadline: Aug 19, 2016

-cap the gas line; hire a contractor who's a pipe fitter

-no locks on the door to the upstairs

Grant an extension to August 19, 2016 to remove the gas stove and cap the gas line by a professional. Discontinue the use as a duplex.

Referred to the City Council due back on 8/3/2016

35 [RLH FCO 16-97](#)

Appeal of Bill Hosko to a Fire Certificate of Occupancy with Deficiencies at 151 SEVENTH STREET EAST.

Sponsors: Noecker

Attachments: [151 East Seventh.appeal.07-08-16](#)

[151 Seventh St E.Photos.7-12-16](#)

[151 Seventh St E.Hosko Ltr.7-22-16](#)

[151 Seventh St E.Fire Retardant Product Descriptions from Appellant.8-2-16](#)

Bill Hosko appeared.

Mr. Hosko entered photos.

Fire Inspector A J Neis:

-Fire Certificate of Occupancy Correction Notice for the Music Forest Cafe issued by Fire Inspector Kris Skowfisk

-appealed is the Order for dead birch trees in the building

-state fire code is very specific that any trees indoors, used for display need to be at least 20 feet apart from branch to branch

-one of the things Mr. Hosko is concerned with is why this was not brought up in the initial planning stages; it wasn't brought up for two reasons: 1) in the plan review process, we do not ask where interior finished decorations are going to be; and 2) it was not put into the fire code until this year; this is a new law that came into effect in 2016

-the obvious concern is with 'dead trees' (flammable)

-it sounds as though Mr. Hosko is willing to look into some type of flame retardant to put onto these trees to make them safe; Mr. Neis would want to review the data sheet on that and have Ms. Wiese check to see if that would be acceptable

Ms. Moermond:

-that sounds like a spectacular idea to her - the flame retardant spray

-research it and come back with a plan

-will Lay this Over for a couple weeks to Aug 2, 2016 LH

Layover to get acceptable plans/timelines for the trees in the Music Forest Cafe.

Laid Over to the Legislative Hearings due back on 8/2/2016

- 36 [RLH FCO 16-98](#) Appeal of Patti Sharet to a Fire Inspection Correction Notice at 1706-1708 SEVENTH STREET EAST, APT 3.

Sponsors: Prince

Attachments: [1706-1708 7th St E. appeal.07-11-16](#)
[1706-1708 7th E. photos 7-7-16](#)
[1708 7th St E #3.Sharet Ltr.7-22-16](#)

Patti Sharet, tenant Apartment #3, appeared.

Fire Inspector A J Neis:

-Fire Certificate of Occupancy Correction Notice issued to Scott & Michelle Skjei by Inspector Jill Pettiford

-owners are not appealing the Correction Orders

-#5 and #6 in Unit 3 are being appealed - to have the kitchen & bathroom walls, where there appears to have water damage because the paint is peeling, to be repaired

-the tenant is appealing

Ms. Sharet:

-feels as though this is a solution in search of a problem

-I don't like the intrusion of people in my space; I live on my own

-I asked Ms. Pettiford and her supervisor directly, "How do you establish that this will improve the livability of my apartment or safety?" and they could not tell me; they could not demonstrate that this would make it safer

-these are cosmetic issues, maybe, but they are not flaking onto the counter, sink or floor in the kitchen

-in the bathroom, there's one wall over the toilet that is painted with flat paint; a dozen years ago, it was flaking all over the toilet and floor; she asked Mr. Skjei to paint it and he did; now, 12 years later, it's bubbling; it's an aesthetic issue, perhaps; but no one could demonstrate to me that scraping & painting that one portion of the wall would make the apartment better or safer to live in

-to me, it's going to be enormously disruptive for the landlord to come in and be there for several hours and do that; and the apartment won't be better looking or safer

-there are issues that are about safety that she brought up such as, the furnace hasn't been cleaned for 6 years, which she is genuinely concerned about as a safety issue; when I brought that up with the inspector, she said that they didn't have a code that addresses that

-she feels that she has issues of safety that are far more important than painting a little bit of my apartment

-she could not get a reason except that "we have a code; we can cite it and we're gonna cite it"

Mr. Neis:

-many of the codes don't actually associate with fire safety; this is about a maintenance issue; looking at the photos, there is or was water damage and the only way to find out if there's really a problem is by ording them to repair that ceiling

-another reason is that the building was built in 1961 and if asbestos is found, maintaing ceilings, etc. is especially important because asbestos can pose health problems; it must be maintained property

-these are maintenance issues and should be repaired
-this building is on a 3-year inspection cycle

Ms. Sharet:

-the HUD inspector didn't have an issue with this

Ms. Moermond:

-will recommend getting the work done before the next Fire C of O inspection cycle in 3 years
-you can't ignore maintenance issues

Grant an extension until the next Fire Certificate of Occupancy cycle to get the painting done in Unit 3.

Referred to the City Council due back on 8/3/2016

2:30 p.m. Hearings

Vacant Building Registrations

- 37 [RLH VBR 16-44](#) Appeal of Terry McDonough to a Vacant Building Registration Notice at 908 RUSSELL STREET.

Sponsors: Bostrom

Attachments: [908 Russell St.appeal.7-13-16](#)
[908 Russell St.photos.7-13-16](#)
[908 Russell St.TISH Report.7-6-16](#)
[908 Russell Ave.McDonough Ltr.7-22-16](#)

Terry McDonough, owner, appeared.

Inspector Matt Dornfeld, Vacant Buildings:

-Vacant Building Inspector Rich Singerhouse and Tom Friel we asked by the SPPD to meet them at 908 Russell St on Jun 29, 2016 per neighborhood complaint of vacancy and possibly, criminal activity
-at the time of that inspection, they documented a 1 story wood frame single family house that was vacant, mostly boarded and secured; some broken porch windows but mainly, part of the house was secured
-one of the officers said that the interior was heavily vandalized with holes in the walls; the yard ares were clean and the grass was cut
-a Category 2 Vacant Building file was opened due to the house being vacant, secured by abnormal means with multiple code violations

Mr. McDonough:

-I am an owner

-quick background: I rented the property last fall to a single occupant (it's a 1-bedroom home); he was a good tenant for a few months but in Jan, he didn't pay rent and I couldn't reach him; I went to the property and an uncle of his was occupying it, who said that the tenant was out of town; I told him that if I didn't hear from him, I would file a UD; I never heard from him, so I filed a UD; the hearing took place early Mar and the tenant did not show and had not removed his possessions from the property and his uncle continued to remain in occupancy; I went to the property and told the uncle that he had to move; there was a language barrier but he

seemed to understand that he needed to vacate; he was not on the lease but it was an occupied property; finally, he vacated early Apr and the place was damaged, dirty.... we cleaned it out and cleaned it up, repaired and painted; fixed the broken windows and doors; he showed the property to 2 perspective tenants; however, neither was a suitable applicant

-the next thing was that someone had forced entry into the property; he went over and found there were people who said that they were relatives of the tenant, whom he had evicted the past winter; he told them that they had to move; they said that they'd go but they didn't go; so, he contacted his attorney, who said that he needed to file another unlawful detainer; talked again with the people, who again said that they would go; they didn't go, so he called SPPD; SPPD told the people that they had to move; they agreed and they vacated; we changed locks again; someone broke back into the home; he assumes it was them and did incredible damage to the property; thinks that the photos substantiate that; so, we contacted SPPD; they came out Jun 29th and at that time, the process began as a Vacant Property

-the issue is that "it was not Vacant;" there were people living there illegally through Jun 29, 2016; at that point, he decided to sell & he put it on the market and very quickly received a Purchase Agreement from a perspective buyer; we have a cash offer; he wants to close very quickly

-to the best of his knowledge, that property was vacant for about 7 days during which time we were deciding to put it on the market

-most of May, it was not occupied and we were fixing it up

Ms. Moermond:

-it was illegally occupied

-you definitely meet the definition of a Registered Vacant Building

-had it been legally occupied, it would have been Condemned and put into the Reg VB Program because of all of the damage that you're describing for not being a habitable place

Mr. McDonough:

-we found a buyer; what's the time frame from which the damage is done to a property and restoring it so won't meet the definition of a VB

Ms. Moermond:

-there is no time period in the code saying that it sat in this state for a number of days; it is simply a definition of conditions

Mr. McDonough:

-the damage was done in response to SPPD asking the illegal occupants to vacate - retaliation

-during the month of May, this house did not meet the definition of a VB; it was in good shape

Ms. Moermond:

-in May it was OK; in Jun, not really

Mr. McDonough:

-after we changed the locks, we boarded it up to prevent them from breaking back in again and we decided at that time to put it on the market instead of fixing it up again

Mr. Dornfeld:

-asked if Mr. McDonough knew what the intention of the perspective buyer is

Mr. McDonough:

-no; he is aware that it's a Category 2 VB

Ms. Moermond:

*-it's not Condemned because it wasn't occupied at that time; it's just in bad repair
-there's a VB fee cited in the letter; there's also going to be the cost of bringing it into compliance; a Certificate of Code Compliance will be required; alternatively, that your cash buyer is interested in flipping it into a rental/investment property and maybe doing the level of repairs that you had previously done yourself; that won't be as much money as compared with the Code Compliance Certificate
-the city's interest is not having this continue to cycle as a bad property*

Mr. Dornfeld:

*-the TISH is showing that it's completed but I can't get the details of the inspection on the computer; thinks that it would help make this decision
-none of our inspectors have been inside*

Ms. Moermond:

*-let's do that; we'll get the TISH; call Vicki
-we will call you*

Deny the appeal and the property should be a registered vacant building based on TISH report.

Referred to the City Council due back on 8/3/2016

38 [RLH VBR 15-93](#)

Appeal of Marcus Landrum to a Vacant Building Registration Renewal Notice at 1308 VICTORIA STREET NORTH.

Sponsors: Brendmoen

Attachments: [1308 Victoria Street N Appeal 10-15-15](#)
[1308 Victoria St N.Landrum Ltr.10-22-15](#)
[1308 Victoria St N.Landrum Ltr.12-7-15](#)
[1308 Victoria St N.Code Compliance Report.12-16-15](#)
[1308 Victoria St N.Owner Photos.12-1-15](#)
[1308 Victoria St N.Owner Photos #2.12-1-15](#)
[1308 Victoria St N.Landrum-Lundborg Ltr.1-28-16](#)
[1308 Victoria St N.Initial Workplan.7-1-16](#)
[1308 Victoria St N.vang-landrum email.7-7-16](#)
[1308 Victoria St N.Landrum-Lundborg Ltr.7-22-16](#)

Marcus S and Tara L Landrum, owners, appeared.

Ms. Moermond:

*-she went out to the property with Steve Ubl, the city's building official; they reviewed the house interior & exterior; and the garage briefly from a distance, noting that it was in need of demolition, although not presently; perhaps within the next couple of years
-talked with Mr. Ubl about your Work Plan - the long approach and his answer was, "No, we can't take years on that;" it's been 16 years since the fire and we need an end game that ends within a year or 2 (the best way); yes, we can continue to collect VB fees but she doesn't want to do that; however, a piecemeal approach, doesn't lend itself at this point, to a drastic fee reduction; she is looking for something to get you out of it faster; Mr. Ubl thinks that if you'd hire professionals, it could be done in*

4-6 weeks; then, you need to ask whether the property value support that investment; she thinks that it does; property values are only going up right there; there's going to be plenty of equity there at the end of the day

-doesn't know whether you've talked with any financial institutions or any non-profits that does this kind of work about ways to move more quickly; she had hoped to see things further along

-we've been talking about this VB fee for a long time and she wants to credit that you may have made different decisions along the way since last Oct than you otherwise would have had you not been having this conversation

-will recommend approving a VB bill to 25% of what it otherwise would have been for 2015-2016; moving forward, it will go up to the \$2000+ per year; if you can get out of the VB Program by Dec, she could charge them for 2 months or nothing; or out of the program by Mar 2017, she could charge you 25% again; she wants to use the next bill as an incentive to finish the project and use that money differently

-she needs the insides finished; she can't discount the VB fee except for the case that it does get done

-Mr. Ubl was really clear that it might be money really well spent to hire professionals

Mr. Landrum:

-he does wood working for a living and he has high expectations

-there are certain elements that they don't want to do themselves

-if they were to insulate and sheet rock and if everything prior to that had been taken care of, would that have any consideration.....

Ms. Moermond:

-the finish line is getting the Certificate of Code Compliance - the only finish line

-you are so exceptional and she knows that she's being a hard ass but this has been going on since 2001 and it's been a vague horizon; we need to crystalize; however, if you guys want to take another 5-10 years, God Bless You; Enjoy it; but it will have the VB fee attached to it each year

-we need to play by the same rules for each neighborhood

Ms. Landrum:

-that fee is ridiculous; it's more than the taxes! it almost doubled in a year; cops aren't patrolling the place and making busts

Mr. Dornfeld:

-the fee isn't for you; the fee is for the 99% of the folks who aren't like you but we can't pick and choose

-I would hire people and just get the work done

Ms. Moermond:

-she has briefed the Councilmember so that she's aware of your situation and what her recommendation is

-start by getting your trades contractors in there; they'll know the code

-you can call your previous contractors and explain to them that the city expired the permit and they had done the work; they will put you in contact with the person who did the work originally, who will set up an inspection, a fresh permit will probably need to be pulled but they will know what was done

-City Council Public Hearing is Aug 3, 2016

-she understands that Jim Seeger could do a walk thru: 651/266-9046

Deny the appeal but reduce the vacant building fee for 2015-2016 to \$500.00.

Referred to the City Council due back on 8/3/2016