



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, November 8, 2016

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1** [RLH TA 16-535](#) Ratifying the Appealed Special Tax Assessment for Property at 1325 ARKWRIGHT STREET (File No. J1702A, Assessment No. 178501).

Sponsors: Brendmoen

Approve; no show.

Referred to the City Council due back on 1/18/2017

- 2** **RLH TA 16-526** Ratifying the Appealed Special Tax Assessment for Property at 459 AURORA AVENUE (File No. J1702A, Assessment No. 178501).

Sponsors: Thao

Christina Duong, owner, appeared.

Inspector Paula Seeley:

 - Summary Abatement Order issued Jul 28; compliance Aug 1; rechecked Aug 11
 - work done Aug 12 for a cost of \$160 + \$160 service charge = \$320
 - no returned mail
 - tall grass & weeds
 - sent to: Christina Duong & Danny Vo, 7675 Nature Path, Woodbury, MN 55125; Occupant
 - history: no house numbers 8/15/16

Ms. Doung:

-I told the tenant to clean up & I thought she did

VIDEO - city crew cut grass/weeds over 8 inches

Ms. Moermond:

 - viewed photos with a lot of overgrowth; gave them to Appellant to show tenants
 - you were given a long period of time to do the work; the tenants didn't finish the job; the city did some of the work
 - will recommend reduce by half

Reduce from \$320.00 to \$160.00.

Referred to the City Council due back on 1/18/2017

- 3 [RLH TA 16-532](#) Ratifying the Appealed Special Tax Assessment for Property at 639 BLAIR AVENUE (File No. J1702A, Assessment No. 178501).

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 1/18/2017

- 4 **RLH TA 16-520** Ratifying the Appealed Special Tax Assessment for Property at 959 BURR STREET (File No. J1702A, Assessment No. 178501).

Sponsors: Brendmoen

Peter Riemenschneider, owner, appeared.

Inspector Paula Seeley:

*-Summary Abatement Order issued Aug 3; compliance Aug 8; re-checked Aug 8
-work done Aug 8 for a cost of \$344 + \$160 service charge = \$504
-property clean-up
-no returned mail
-sent to: Peter Riemenschneider, 804 Sherwood Ave, St. Paul; and Occupant*

Mr. Riemenschneider:

*-entered his written statement into the record (attached)
-asked that the assessment be waived; they acted quickly & in a good faith effort
-explained that the tenant moved out agreeing to arrange for trash pickup of their belongings that were left; without our knowledge, the tenant failed to do so and the trash was left;
-Wed Aug 3, a SA was sent from DSI requesting removal of the trash & overflowing trash containers; unfortunately, during that time, we were out of town
-evening of Sun Aug 7, I returned & received the SA; I was upset to find that the trash hadn't been removed the previous Wed; Mon morning, although the deadline had technically passed, I called but there were few options
-in order to meet the city's deadline, we decided to hire We Got Junk; they arrived Mon Aug 8 and finished just before 11 am that day; they removed all the mattresses, furniture & trash from the driveway (cost-\$639); they left the trash from the 4 containers, which our usual trash hauler would then take on the next Wed, Aug 10; later that Mon afternoon, several city workers arrived with a garbage truck to follow up on the SA Order; I was there when they arrived and told them that we had already hired We Got Junk and they would see that the trash was gone; the supervisor pointed to the trash containers and said that the Orders specified overflowing trash containers and said that the 4 trash cans needed to be emptied, too; I tried to explain that out trash day was Wed and that it would be gone then; they insisted to take it any way; one of the workers had a VIDEO camera; I tried to call the inspector to request an exception but all I could do was leave a message; I did not get a return call; I then went directly to the City Clerk's Office to try to appeal the SA
-in this instance, I think that I made a good faith effort to comply with the SA; I hired someone to remove all the trash & personal belongings from the driveway*

VIDEO - city crew just emptied the 4 trash containers; there were no mattresses or furniture, etc.

Ms. Moermond:

-your tenants moved out on the 1st; garbage day is Wed, Aug 3 and the garbage was still there the following Mon, the 8th; so, if I'm a neighbor & it's the first week in Aug....and it's raw garbage; the very first item listed in the Orders is Overflowing Trash Containers, mattresses, furniture in driveway; you seem to be making the case that because you got rid of the mattresses & furniture in the driveway, that the issue with the overflowing garbage containers should be waived
-the tight timeline is, by policy, related to the overflowing trash, not to the furniture; had it been only a furniture issue, there would have been several additional days given

Mr. Reimenschneider:

-the trash containers were disposed of; the hauler came at 6:30 am to empty the containers; the containers were empty on the 3rd; the other tenants in the bldg filled the containers again; I had 3 other families in that bldg at that time
-we did our best to comply with the Orders & I understand "overflowing" to mean what is on the ground; I did not think that a slightly opened lid was included as "overflowing"

Ms. Moermond:

-I'm feeling stuck because what I saw in the Video on Aug 8 was the same as was described in the Orders Aug 3

Ms. Seeley:

-not much history; new owner now

Ms. Moermond:

If no same or similar violation(s); will reduce the assessment by half; from \$504.00 to \$252.00.

Referred to the City Council due back on 1/18/2017

- 5 [RLH TA 16-528](#) Ratifying the Appealed Special Tax Assessment for Property at 194 CESAR CHAVEZ STREET (File No. J1702A, Assessment No. 178501).

Sponsors: Noecker

Approve; no show.

Referred to the City Council due back on 1/18/2017

- 6 [RLH TA 16-533](#) Ratifying the Appealed Special Tax Assessment for Property at 1149 FOREST STREET (File No. J1702A, Assessment No. 178501).

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 1/18/2017

- 7 [RLH TA 16-516](#) Ratifying the Appealed Special Tax Assessment for Property at 840 JESSAMINE AVENUE EAST (File No. J1702A, Assessment No. 178501).

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 1/18/2017

- 8 RLH TA 16-517** Ratifying the Appealed Special Tax Assessment for Property at 890 MARGARET STREET (File No. J1702A , Assessment No. 178501).

Sponsors: Prince

May Kou Vang, owner, appeared.

Inspector Paula Seeley:

*-Summary Abatement Order issued Aug 3; compliance Aug 9; re-checked Aug 10
-work done Aug 11 for a cost of \$140 + \$160 = \$300
-remove all tires, mattresses, rubbish from rear yard
-history: 10/5/15 refuse; done by owner
-sent to: May Kou Vang & Occupant at this address
-no returned mail*

VIDEO - city crew removed 1 mattress

Ms. Moermond:

-original Order also mentioned tires & rubbish but they were gone; only the mattress was left

Ms. Vang:

-that mattress was just put outside the day after I came there; the tenant said that mattress had been inside the foyer; the stuff in the Order had already been moved from the parking area behind the yard

Ms. Moermond:

*-the Order is clear: remove all tires, mattresses & rubbish from rear yard; I'm not sure the item in the VIDEO is a mattress; it looks like a box spring
-who removed the items from the pkg area*

Ms. Vang:

*-I removed them myself
-that box spring was put outside from the foyer by the tenant
-I explained to the tenant; initially, they were going to do this*

Ms. Moermond:

-the photo shows the box spring there on Aug 9, compliance day; no photo of tires; workers came Aug 11

-Ms. Seeley:

-inspectors/crew don't always distinguish between box spring & mattress

Ms. Vang:

-the neighbors across who consistently dump into my yard

Ms. Moermond:

If no same or similar violation(s) between now & Jan 18, 2017, will delete the assessment.

Referred to the City Council due back on 1/18/2017

- 9 [RLH TA 16-514](#) Ratifying the Appealed Special Tax Assessment for Property at 525 MARYLAND AVENUE EAST. (File No. J1701E, Assessment No. 178300)

Sponsors: Brendmoen

Ruby Nguyen, owner, appeared.

Inspector Paula Seeley:

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

-3 or more violations within a 12 month period

-Orders sent the 3rd time brush, tree branches and trash on the blvd

-Summary Abatement Orders sent May 9; compliance May 13; re-checked May 16; work had been abated at the time

Ms. Nguyen:

-I got a letter May 3 about cutting the grass; i called the inspector; I had talked with him before and told him that the neighbor keeps calling to complain; he said that he was OK with it

Ms. Moermond:

-if you guys are counting TGW as one of the violations, my understanding is that it has to be a founded complaint, which means that an inspector has to go out and measure the height of the grass to determine if it's a valid violation

Ms. Seeley:

-it has to be a valid violation - eyes on

Ms. Moermond:

-so, you have neighbors who like to call but the city has to go validate the complaint

Ms. Nguyen:

-according to the letter, it says, "We received a complaint.."

Ms. Moermond:

-it also goes on to say that an inspector will go out to check

Ms. Nguyen:

-we cleaned up the brush situation on the weekend

Ms. Moermond:

-what I heard Insp Seeley say is that there were 3 different items: 1) TGW; 2) brush & tree branches; & 3) rubbish; can you comment more?

Ms. Seeley:

-well, this is now a problem property

-I'm trying to count the times but STAMP is not opening

Ms. Moermond:

-an Ex Con bill is basically charging because you're using code enforcement staff 3 times within 1 year

Ms. Nguyen:

-we are always on top of it

Ms. Moermond:

-you are not on top of it if the city has to send you a letter telling you to clean things

up or mow lawn or.....; that's not on top of it; that's why they are billing you

Ms. Nguyen:

-yes, but this is the same thing; 2 different inspectors doing the same thing

-I have a tenant who keeps an eye on things

Ms. Moermond:

-it might be worth your money to proactively check if things are being taken care of

Ms. Nguyen:

-I do

Ms. Seeley:

-I do know that there's a neighbor over there who is very, very, very picky

-I'd say, if no same or similar by Jan 4, delete it

-Ed has been out here 8 weeks in a row; that's a lot and there hasn't been a problem

-the biggest thing is for them to stay on top of mowing the grass, shoveling snow, etc. or the neighbor will be calling all the time

Ms. Moermond:

-that's good news!

-I want to go back to make sure that there's adequate documentation for the record about why the dept put forward an Excessive Consumption bill to being with before I make any recommendation about reducing/deleting it

Ms. Seeley:

-so, I'll have to figure that out; go back to May 2015 and count all of the ECs

Ms. Moermond:

-we'll attach that to the record

-City Council Public Hearing Jan 4, 2017

If no same or similar violation(s); will delete.

Referred to the City Council due back on 1/4/2017

10 RLH TA 16-518

Ratifying the Appealed Special Tax Assessment for Property at 1882 MINNEHAHA AVENUE EAST (File No. J1702A, Assessment No. 178501).

Sponsors: Prince

Donald R Jones, owner, appeared.

Inspector Paula Seeley:

-Summary Abatement Order issued Aug 9; compliance Aug 13; re-checked Aug 16

-work done Aug 18 for a cost of \$160 + \$160 service charge = \$320

-cut tall grass & weeds

-sent to: Rita Schultz & Occupant at this address

-no returned mail

-TGW also sent 5/15/16-done by owner

Mr. Jones:

-I just bought the property Aug 26, 2016; so, I don't know anything about any of this

-this is my first time owning a home; this is all new to me

Ms. Moermond:

-were you represented by a realtor in your purchase?

Mr. Jones:

-yes, I was

Ms. Moermond:

-the previous owner got Order from the city; she didn't do them so the city took care of the lawn; it is incumbent upon the seller to disclose to the buyer that there's an existing Order(s) on the property; your realtor should have been on that; we will provide documents to give to your realtor, who should talk to their realtor to square this up because you should not be held responsible, morally; legally, you are responsible because you bought the debt of the property when you bought the property

VIDEO - city crew cut the tall grass & weeds over 8 inches

Mr. Jones:

-the grass looked good on Aug 26

Ms. Moermond:

-provided documents & photos to Appellant

Approve the assessment.

Referred to the City Council due back on 1/18/2017

11 RLH TA 16-522

Ratifying the Appealed Special Tax Assessment for Property at 1100 PAYNE AVENUE (File No. J1702A, Assessment No. 178501).

Sponsors: Bostrom

Lawrence Willman, Payne Avenue Evangelical Free Church, owner, appeared.

Inspector Paula Seeley:

-Summary Abatement Order issued Aug 12; compliance Aug 17; re-checked Aug 17

-work done Aug 18 for a cost of \$288 + \$160 service charge = \$448

-failure to remove sofa from sidewalk

-sent to: Lawrence Willman & Payne Ave Evangelical Free Church, 1100 Payne Ave; & Occupant

-no returned mail

Mr. Willman:

-we thought we were doing a good deed by putting 2 sofas out there for FREE; I was out of town and no one got the mail; when I came back I got the Notice

-people tend to dump things in our alley and the city has helped us dispose of the tires, etc.

Ms. Seeley:

-no history but sofa was there for 2 weeks

-people do tend to dump in that area/alley; it's common in that stretch

Ms. Moermond:

If no same or similar violations between now & January 18, 2017, I will delete the assessment.

Referred to the City Council due back on 1/18/2017

12 RLH TA 16-523 Ratifying the Appealed Special Tax Assessment for Property at 1185 REANEY AVENUE (File No. J1702A, Assessment No.178501).

Sponsors: Prince

Jan Eldred, owner and Petra Fager, Property Manager, appeared.

Inspector Paula Seeley:

*-Summary Abatement Order sent Jul 20, 2016; compliance Jul 27; re-checked Aug 9
-work done Aug 10, 2016 for a cost of \$316 + \$160 service charge = \$476
-sent to Janet M Eldred and Occupant at this address
-no returned mail
-there are 2 open files
-in capital letters: Including removing the green construction bag full of trash & debris
& other bags of trash or garbage from the back yard*

Ms. Moermond:

-photos show garbage cans up against the pickup truck along with a plastic container, the pickup full of things, etc.

VIDEO - pickup truck full of trash bags, a container full of trash, etc. around the truck

Ms. Fager:

*-Jan purchased the home and moved into it in 2015
-the home was vacant; we were getting it ready to rent or sell
-it was vacant property with no trash pickup for some time
-in the spring, we were getting ready to rent the property; I submitted a form to the city with our contact information
-I manage more properties but most are in Mpls, so my experience is that it takes a while to make it thru processing once you close
-I see that the city updated their website recently, so I looked back on there within the last week and found other forms so we've got the forms to re-submit right now; what's been happening is that when an Order comes out, we're not getting it; the tenant might/might not tell us about it
-I got a text message from the tenant with a picture of the Order on Jul 22
-we got a green bagster for the debris from the basement but the tenant started putting her garbage in there; so, we got the bagster removed; the stuff in the truck looks like something new*

Ms. Eldred:

-the other problem we're having is dumping - people going thru the alley

Ms. Moermond:

*-she and the women viewed the photos
-if the city can't find you, it's because Ramsey County doesn't have your address*

Ms. Eldred:

*-when I bought the house, I went down to Ramsey County and homesteaded it within 30 days of purchase; there was a deadline; I have title
-I have limited mobility*

Ms. Moermond:

*-when I have a circumstance like this - address problems, it's usually a circumstance where someone hasn't completed some aspect of the sale process
-1185 Reaney - you're the owner of record; Ramsey County taxation has you at 1185 Reaney and has for years*

Ms. Fager:

-they also have us at 1188 Edgerton

Ms. Eldred:

-yes; I'm getting tax documents at Edgerton

-as far as I know, I've filled out the paperwork because I homesteaded it

Ms. Fager:

-it's a tax arrangement for veterans; some kind of abatement - applies to the Edgerton house, not to the Reaney address

Ms. Mai Vang:

-2016 tax statements still have you at 1185 Reaney Ave

Ms. Moermond:

-you should probably talk to Ramsey County to get your address squared away

-our information has you still showing up in the system on Reaney

Ms. Seeley:

-wouldn't we have a C of O if she wasn't living here?

-no TISH Report either

Ms. Fager:

-she did not purchase Reaney; she purchased Edgerton and moved there

Ms. Moermond:

-I understood that she was selling Reaney but... she's

Ms. Eldred:

-I'm a veteran living on a pension

-I had to move out of the Reaney property; some of the things there were affecting my health; a neighbor next door would fire guns during parties and if I called the cops to complain, and they wouldn't find anything; then, I'd get garbage dumped on my property; one time, it was a whole car - no engine, doors or windows; another day, it was 5-6 mattresses; another time, it was truck tires; and a whole house full of stuff; I called SPPD but by the time they got there, someone had set it on fire; there were constant issues

Ms. Seeley:

-had a SA Order on refuse twice since then: Oct 25 and Nov 1

Ms. Fager:

-in Jul when we did get Notice, I talked to the inspector, who said that we would not get fined if we took care of it in time; we thought that we had done that and I commented to him that we weren't getting the Notices; I thought he'd send us something but I haven't gotten anything

Ms. Moermond:

-provided a C of O form

Ms. Fager:

-whatever grace you can extend; I can manage the property but it's difficult if I'm not in the loop

Ms. Eldred:

-this all is not good for my health

Ms. Moermond:

-will Lay this Over for 1 month to Dec 20, 2016 LH at 9 am to see what progress we can make

Laid Over to the Legislative Hearings due back on 12/20/2016

- 14** [RLH TA 16-519](#) Ratifying the Appealed Special Tax Assessment for Property at 1127 ROSS AVENUE (File No. J1702A, Assessment No. 178501).

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 1/18/2017

- 15** [RLH TA 16-529](#) Ratifying the Appealed Special Tax Assessment for Property at 710 SHERBURNE AVENUE (File No. J1702A, Assessment No. 178501).

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 1/18/2017

- 16** [RLH TA 16-521](#) Deleting the Appealed Special Tax Assessment for Property at 612 SMITH AVENUE SOUTH (File No. J1702P, Assessment No. 178401).

Sponsors: Noecker

Delete; waiver on file since 2008.

Referred to the City Council due back on 1/18/2017

- 17** [RLH TA 16-530](#) Ratifying the Appealed Special Tax Assessment for Property at 391 THOMAS AVENUE (File No. J1702A, Assessment No. 178501).

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 1/18/2017

- 18** [RLH TA 16-527](#) Ratifying the Appealed Special Tax Assessment for Property at 544 UNIVERSITY AVENUE WEST (File No. J1702A, Assessment No. 178501).

Sponsors: Thao

Approve; no show.

Referred to the City Council due back on 1/18/2017

- 19** [RLH TA 16-515](#) Deleting the Appealed Special Tax Assessment for Property at 811 UNIVERSITY AVENUE WEST (File No. J1702P, Assessment No.

178401).

Sponsors: Thao

Delete; waiver on file.

Referred to the City Council due back on 1/18/2017

- 20 RLH TA 16-534** Ratifying the Appealed Special Tax Assessment for Property at 1360 UNIVERSITY AVENUE WEST (File No. J1702B, Assessment No. 178101).

Sponsors: Thao

Casey Marka, BRE DDR Midway Marketplace LLC, owner, appeared

Inspector Paula Seeley:

-there was a burglary; SPPD called for an immediate boarding on Jul 22, 2016 at a Sprint Store

-emergency boarding cost: \$275 + \$160 service charge = \$435

Ms. Moermond:

-the boarding contractor indicates that they got a call from SPPD at 3 am on Fri Jul 22, the SPPD got a call at 2:23 am

-SPPD needs to secure the scene before they can leave; sometimes, it works to get the key box holder; sometimes, it's not possible to get a hold of that person; and they need to call for an emergency board up

Mr. Marka:

-from what I understand, the store has a protocol they follow to get those boarded up; so, they should have had someone on their way; getting charged for this is for something that's not our fault

-we were just notified last week

-was there an initial letter sent to the store of to DDR, owner

Ms. Moermond:

-read narrative (attached police report)

-they were unable to contact the Sprint manager at that time; sent email

-took photos at the scene; have copy of video

-insurance often covers these things

-will recommend approval

Approve the assessment.

Referred to the City Council due back on 1/18/2017

- 21 RLH TA 16-531** Ratifying the Appealed Special Tax Assessment for Property at 1030 WALSH STREET (File No. J1702A, Assessment No. 178501).

Sponsors: Bostrom

Approve the assessment. (No one appeared.)

Referred to the City Council due back on 1/18/2017

- 22 [RLH TA 16-536](#)** Ratifying the Appealed Special Tax Assessment for Property at 915

BEECH STREET (File No. J1702G, Assessment No. 178701).

Sponsors: Prince

Kongphen J Her, owner, appeared.

*2 assessments: 1) garbage hauling; and 2) garbage cleanup
No Video today*

Inspector Paula Seeley:

-Trash hauling Summary Abatement Order issued Aug 25, 2016

-end of service: Aug 31, 2016

-sent to Kongpheng Her, 5504 Golfview Ave N, Oakdale, MN; and Occupant

-no returned mail

cost: \$150 (start-up \$50; weekly service \$50; pick-up \$50) + service charge \$160 = \$310

-there are also Orders on vehicles

-photos from Aug 25 before the cleanup

-inspector also took photos on Aug 18

*-Clean-up Summary Abatement Order issued Aug 18, 2016; compliance Aug 24;
re-checked Aug 25*

-work done Aug 26 for a cost of \$310 + \$160 service charge = \$476

-sent to Kongpheng Her, 5504 Golfview Ave N, Oakdale, MN; and Occupant

-no returned mail

-bags of garbage in rear yard near alley; car parts & rubbish; dog kennel, etc.

-no Video; just photos before the cleanup

-everyone looked at the photos

Ms. Moermond:

*-it's clear from looking at the photos why the inspector would think there was no trash
hauling service*

Mr. Her:

*-I used to live there; move in 2012; I used to have good tenants - they moved out;
then, one of their sons moved in; then out and another one of their sons moved in
and now there's trouble*

*-since then, I received many Orders; I used to be on top of it; I told the tenants to
clean this up and I trusted that they would do it but they did not; I told them to move
the car or the car would be towed*

*-I switched the trash company; that's why there were no containers there at the time;
I called the inspector and he said that there was no one that I could talk to about it
-thinks that he didn't receive the Notice because he had moved*

-I want to pay this but I would like it reduced because I trusted my tenants too much

Ms. Moermond:

*-I'm not going to reduce the bill; there's no justification for that; however, the VIDEO
could be persuasive; I will look at it at the next LH on Nov 15, 2016*

Mr. Herr:

-I'm going out of town; not sure I'll be here

Ms. Moermond:

-go to DSI and contact Paula Seeley, 266-1916 to watch the VIDEO

Approve the assessment.

Referred to the City Council due back on 1/18/2017

23 RLH TA 16-537 Ratifying the Appealed Special Tax Assessment for Property at 915 BEECH STREET (File No. J1702A, Assessment No. 178501).

Sponsors: Prince

Kongphen J Her, owner, appeared.

*2 assessments: 1) garbage hauling; and 2) garbage cleanup
No Video today*

Inspector Paula Seeley:

-Trash hauling Summary Abatement Order issued Aug 25, 2016

-end of service: Aug 31, 2016

-sent to Kongpheng Her, 5504 Golfview Ave N, Oakdale, MN; and Occupant

-no returned mail

cost: \$150 (start-up \$50; weekly service \$50; pick-up \$50) + service charge \$160 = \$310

-there are also Orders on vehicles

-photos from Aug 25 before the cleanup

-inspector also took photos on Aug 18

*-Clean-up Summary Abatement Order issued Aug 18, 2016; compliance Aug 24;
re-checked Aug 25*

-work done Aug 26 for a cost of \$310 + \$160 service charge = \$476

-sent to Kongpheng Her, 5504 Golfview Ave N, Oakdale, MN; and Occupant

-no returned mail

-bags of garbage in rear yard near alley; car parts & rubbish; dog kennel, etc.

-no Video; just photos before the cleanup

-everyone looked at the photos

Ms. Moermond:

-it's clear from looking at the photos why the inspector would think there was no trash hauling service

Mr. Herr:

-I used to live there; move in 2012; I used to have good tenants - they moved out; then, one of their sons moved in; then out and another one of their sons moved in and now there's trouble

-since then, I received many Orders; I used to be on top of it; I told the tenants to clean this up and I trusted that they would do it but they did not; I told them to move the car or the car would be towed

-I switched the trash company; that's why there were no containers there at the time; I called the inspector and he said that there was no one that I could talk to about it

-thinks that he didn't receive the Notice because he had moved

-I want to pay this but I would like it reduced because I trusted my tenants too much

Ms. Moermond:

-I'm not going to reduce the bill; there's no justification for that; however, the VIDEO could be persuasive; I will look at it at the next LH on Nov 15, 2016

Mr. Herr:

-I'm going out of town; not sure I'll be here

Ms. Moermond:

-go to DSI and contact Paula Seeley, 266-1916 to watch the VIDEO

Approve the assessment but Legislative Hearing Officer will watch video.

Laid Over to the Legislative Hearings due back on 11/15/2016

24 RLH TA 16-538 Ratifying the Appealed Special Tax Assessment for Property at 1289 BURR STREET (File No. J1702G, Assessment No. 178701).

Sponsors: Brendmoen

John Dockry, Attorney representing Wells Fargo Bank, owner, appeared.

Inspector Paula Seeley:

-Summary Abatement Order issued Jul 26; compliance Aug 1; re-checked Aug 1; for failure to provide garbage container/service; I sent a Work Order for hauler & clean-up; sent Work Order for both

-cost: \$300 + \$160 service charge = \$460 (1 container Aug 1 - Nov 1); that's 6 weeks plus drop-off/pick-up + admin fee

-sent to Amber Sorenson, previous owner; & Occupant at this address; house went into foreclosure; Wells Fargo took possession

-a lot of clean-ups and haulers assessments are forthcoming

Mr. Dockry:

-Wells Fargo Bank took possession Jan 2016; it went into a foreclosure sale; redemption period expired in the middle of Jul 2016; I just got this yesterday afternoon

-the only Summary Abatement Order that I was provided is dated Sep 23, 2016: remove couch, TV, rubbish from alley way

-but I understand this assessment today is for garbage hauling for the month of Aug 2016; I don't have that Notice

-I don't know if there are other open Orders; I'm here kind of on a whim to get clarification

-I have confirmation that a vendor for Wells Fargo completed a clean-up of exterior property on Nov 4, 2016

-Ms. Sorenson hadn't paid for anything

-she voluntarily vacated...

Ms. Moermond:

-\$460 is for 1 container for 6 weeks (per Seeley above)

-so, Ms. Sorenson wasn't paying for anything

Mr. Sorenson:

-I couldn't tell if we needed to proceed with the eviction action or not; she did, ultimately, vacate, so after the redemption period expired, she got rid of all her personal property

-it does appear that Wells Fargo has now assigned a vendor to take care of the property at this juncture

Ms. Moermond:

-it would be great if your maintenance people filled out a Vacant Building Registration Form and talked to Rich Singerhouse, Supervisor for the VB Program inspections in the eastern half of the city

Approve the assessment.

Referred to the City Council due back on 1/18/2017

25 **RLH TA 16-539** Ratifying the Appealed Special Tax Assessment for Property at 1289 BURR STREET (File No. J1702A, Assessment No. 178501).

Sponsors: Brendmoen

Approve the assessment.

John Dockry, Attorney representing Wells Fargo Bank, owner, appeared.

Inspector Paula Seeley:

*-Summary Abatement Order issued Jul 26; compliance Aug 1; re-checked Aug 1; for failure to provide garbage container/service; I sent a Work Order for hauler & clean-up; sent Work Order for both
-cost for the clean-up: \$364 + \$160 service charge = \$524
-sent to Amber Sorenson, previous owner; & Occupant at this address; house went into foreclosure; Wells Fargo took possession
-a lot of clean-ups and haulers assessments are forthcoming*

Mr. Dockry:

*-Wells Fargo Bank took possession Jan 2016; it went into a foreclosure sale; redemption period expired in the middle of Jul 2016; I just got this yesterday afternoon
-the only Summary Abatement Order that I was provided is dated Sep 23, 2016: remove couch, TV, rubbish from alley way
-but I understand this assessment today is for garbage hauling for the month of Aug 2016; I don't have that Notice
-I don't know if there are other open Orders; I'm here kind of on a whim to get clarification
-I have confirmation that a vendor for Wells Fargo completed a clean-up of exterior property on Nov 4, 2016
-Ms. Sorenson hadn't paid for anything
-she voluntarily vacated..
-I couldn't tell if we needed to proceed with the eviction action or not; she did, ultimately, vacate, so after the redemption period expired, she got rid of all her personal property
-it does appear that Wells Fargo has now assigned a vendor to take care of the property at this juncture*

Ms. Moermond:

-it would be great if your maintenance people filled out a Vacant Building Registration Form and talked to Rich Singerhouse, Supervisor for the VB Program inspections in the eastern half of the city

Approve the assessment.

Referred to the City Council due back on 1/18/2017

26 [RLH TA 16-540](#) Ratifying the Appealed Special Tax Assessment for Property at 2059 IDAHO AVENUE EAST (File No. J1702A, Assessment No. 178501).

Sponsors: Bostrom

John M Hanson, owner, appeared.

Inspector Paula Seeley:

*-clean-up; no VIDEO
-this has been in the VB Program since Jan 13, 2016; it's a Category 2*

-Summary Abatement Order issued Jul 13; compliance Jul 19; re-checked Jul 28
-brush, branches & overgrown vegetation from rear of property; TGW
-work done Aug 1 for a cost of \$428 + \$160 = \$588
-sent to: John M. Hanson, 285 Century Ave N #119, St. Paul MN 55119; John Hansen, 2059 Idaho Ave E, St. Paul, 55119 and Occupant

Ms. Moermond:

-we have an empty bldg with overgrowth, etc; the city crew did the work

Mr. Hanson:

-I need a contractor to get in there to bring it up to code; I don't live far from there; I will get that done and sell the property
-usually the grass is so very dry after Jun that I don't need to cut it but this year, it was different

Ms. Moermond:

-have you ordered the code compliance inspection report?

Mr. Hanson:

-no; I have not

Ms. Moermond:

-you can hire contractors or do it yourself or you can choose to sell it and just disclose what needs to be done

Ms. Seeley:

-a warning letter went out about the Registered Vacant Building fee Mar 2, 2016; it went to assessment

Ms. Moermond:

-it sounds like you were put into the VB Program Jan 13, 2016 (anniversary date); the city would have sent out a letter telling you that you need to register it & here's the registration form to fill out & send back with you annual VB fee; you can send in the money or you can appeal your circumstance; a lot of people are caught unawares and don't take action
-you will need to get a code compliance inspection/report to transact the property; it can be used as a Truth in Sale of Housing (TISH) to sell the house; getting the code compliance inspection action started & done plus doing the actual work that will need to be done can help in getting that VB fee decreased - getting a 90-day waiver in order to complete the work
-records show that there's another Excessive Consumption bill coming up

Mr. Hanson:

-what's an Excessive Consumption bill?

Ms. Moermond:

-provided names of VB inspector Diane Gavin, 266-1904 and Rich Singerhouse, VB inspector for the eastern half of the city, 266-1945; talk to them about the Ex Con bill and your circumstances; they can help you with moving forward
-you have a pile of tax assessments; we'll try to organize them
-you need to work with your inspector to get on top of it

Approve the assessment.

Laid Over to the Legislative Hearings due back on 11/15/2016

IGLEHART AVENUE (File No. J1702A, Assessment No. 178501).

Sponsors: Thao

Douglas H Coppess, owner, appeared.

Inspector Paula Seeley:

*-Summary Abatement Order issued Aug 4; compliance Aug 11; re-checked Aug 15
-work done Aug 16 for a cost of \$400 + \$160 = \$560
-scrap wood next to garage; other refuse
-sent to Douglas Coppess, PO Box 40478, St. Paul; & Occupant
-no returned mail*

Mr. Coppess:

*-I'm here hoping for a reduction
-since Jan 2015, I've gotten 6 Orders (\$2400 worth of assessments); it all stated
when I had the bad tenants who didn't pay rent; they moved out; they didn't shovel;
then, there was the woman that I was putting up for the church, who got a little
intoxicated - my door got knocked down when City services was called; etc.
-I've been working with Inspector Martin; I've been keeping in touch with her; I've
done extensive work on the yard working with the City; and I think I'm good
-there was also an interior inspection that was triggered
-I live upstairs here and rent out the lower unit
-the complaints to the City came from some litigious tenants who were in the process
of being evicted; I've never had complaints from anyone else
-on some of these clean-up, Parks took a functioning plastic rain barrel; a working
lawn mower; fire pit; vintage antiques, etc.*

Ms. Martin:

*-there a 3 different files, starting with Inspector Ross
-photos of interior on the 12th
-Mr. Coppess has done a lot of repairs; the yard looks better than ever; he has
resolved his car issues
-there's 1 outstanding permit for Summer Electric that will be finalized soon*

Ms. Moermond:

*-looking at the photos
-this is a very disorganized bunch of photos; in spite of that, it's obvious that there
were violations at the time of the deadline
-will Lay this Over for 1 week to Nov 15, LH to watch the VIDEO of the cleanup*

Layover to watch video.

Laid Over to the Legislative Hearings due back on 11/15/2016

Special Tax Assessment Rolls

- 28 RLH AR 16-86** Ratifying the assessments for Boarding and/or Securing services during July 2016. (File No. J1702B, Assessment No. 178101)

Sponsors: Stark

Referred to the City Council due back on 1/18/2017

- 29 RLH AR 16-87** Ratifying the assessments for Property Clean Up services during August 1 to 31, 2016. (File No. J1702A, Assessment No. 178501)

Sponsors: Stark

Referred to the City Council due back on 1/18/2017

- 30 RLH AR 16-88** Ratifying the assessments for Trash Hauling services during August 3 to 31, 2016. (File No. J1702G, Assessment No. 178501)

Sponsors: Stark

Referred to the City Council due back on 1/18/2017

- 31 RLH AR 16-89** Ratifying the assessments for Graffiti Removal services during August 7 to 16, 2016. (File No. J1702P, Assessment No. 178401)

Sponsors: Stark

Referred to the City Council due back on 1/18/2017

11:00 a.m. Hearings

Correction Orders

- 32 [RLH CO 16-38](#)** Appeal of Brad Woodberry to a Correction Notice at 1105 IOWA AVENUE WEST.

Sponsors: Brendmoen

Rescheduled per owner's request.

Laid Over to the Legislative Hearings due back on 11/15/2016

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 33 [RLH VO 16-45](#)** Appeal of Augustina Bonkat to a Fire Certificate of Occupancy Revocation and Order to Vacate at 123-125 COLORADO STREET EAST.

Sponsors: Noecker

Augustina O Bonkat, owner, and Beneiya Beckom, property manager and tenant, appeared

Ms. Moermond:

-this is a Revocation and Order to Vacate the property

Fire Inspector A.J. Neis:

-Revocation of the Fire Certificate of Occupancy with an Order to Vacate for 121,123 & 125 Colorado Street East issued by Fire Inspector George Niemeyer

-revoked due to long-term noncompliance/failure for the owner respond in any timely manner to letters and complaints that our office has sent over to the property owner that said we were going to conduct inspections; there were no calls, no shows, simply

just a lack of response

-multiple code violations that have been going on for the last 5 months

-according to the file, this building, under the current owner's ownership since Oct 2015, there have been 13 or 14 complaints on this property, 2 of which just came in today

-during the appeal, we received another complaint: 1 or 2 bedrooms, 7 adults, 11 children, 6 cats; not suitable for children; cat licking newborn bottles; cooking facilities do not work; basement has mildew

-another complaint came in: smell of mildew

-this property has been on the city's radar for quite some time; I remember Condemning this bldg several years ago for some of these very same issues; the C of O was Revoked; it went to the VB Program; received a Code Compliance Inspection back in 2007 (minimally compliant);

-the bldg needs to be maintained by someone who's willing to do that

-complaints: water shut-offs, cupboards falling, tires, refuse, garbage in yard, litter, trash, over-occupancy, general lack of regard for the property and neighborhood

Ms. Bonkat:

-I'm appealing to get some more time to get all of the violations done and get the tenants back in

Ms. Beckom:

-the lower unit - there's a lot of them in there; and everytime we get them out, they'll vacate for 2-3 weeks and then, since they know my work schedule, they'll come back in when I'm not there

-the upper tenants hasn't paid any rent since May; all the repairs are coming out of my pockets and I have 4 kids; the work that has been done on the property, I've paid for

-Ms. Bonkat just went back to work

Ms. Bonkat:

-I was on maternity leave; and I explained to the inspector that I had a critical condition; I cannot just jeopardize my health to be running to the property all the time; I was put on light duty and be very careful; it takes money to do all the things that need to be fixed and it'll take a little bit of time

Ms. Beckom:

-the tenant in 125 admitted to the fire inspector that she hadn't paid rent since May because she was frustrated

Ms. Bonkat:

-with no income coming in, there's little I can do to get all that fixed; Ms. Beckom actually used her rent to fix the property; her unit is fine, now; the other unit was fixed also but this 125 doesn't pay rent and she doesn't let anyone in; so it's a constant battle between us and her

Ms. Moermond:

-she hasn't paid rent since May and you haven't filed eviction

Ms. Bonkat:

-I did file but I didn't fill out the form adequately so they dismissed the case; I have to go and re-file

Ms. Beckom:

-if I didn't use my own money to fix the property, we would have been out of there sooner than now; I won't jeopardize my kids on the street because somebody else

doesn't want to pay rent; I just can't do that; I've been there once and I refuse to go back; it's real hard to find a place; I've been looking since Jun and still haven't found a place, so I had to weigh my options: fix this place or stay in a hotel; it's going to cost me more in a hotel....

Ms. Moermond:

-you, the owner, Ms. Bonkat, have made a decision not to spend money to do these repairs

Ms. Bonkat:

*-Ms. Beckom is using her rent money to do repairs; I'm not charging her rent
-the one unit upstairs gets repairs; but 125 -I couldn't do all of the repairs plus pay the mortgage just coming off maternity leave when the other tenants don't even pay rent; I didn't work at that time; no paid rent - no income coming in for me to do repairs with*

Ms. Beckom:

*-we tried to do the repairs in 125 unit #1 lower but we maybe were able to do only 4 items; they won't let us come in and they wouldn't let us pull the carpet; they wouldn't let us paint; every time we tried to get in there, it was a battle
-I'm in unit 123; there's 1 adult and 4 kids
-unit 125 unit #1 is supposed to have 2 adults but they have a lot of people there and 7 kids; when the inspector came, he told them that no one could be in the basement; yesterday, they had people back in the basement; also 7 cats, a bunny and a gerbil; her daughter said that they hid the cats when the inspector came
-125 unit #2 upstairs unit has 2 adults only (no kids and no pets)*

Ms. Bonkat

-once we clean the yard, the kids & adults come back out and fill it up; there's too many people who don't care where they live or how

Mr. Neis:

-the appointment letter went out in Apr; when inspectors have gone out they have been met with difficulties getting into the bldg; the property owner explained some reasons why she had not met with the inspector due to medical issues; she appointed Ms. Beckom, was gone out of town for one appointment

Ms. Bonkat:

*-even though I was not there, the inspector was able to get into my unit each time
-the problem was accessing 125 unit #1 lower; they always had an excuse*

Mr. Neis:

*-inspector's notes: Jan 26, 2016: new property owner; May 9: received call from property owner requesting that the date be changed; he let her know that he was going to deny the request due to the 2nd complaint; he received another call requesting an extension and that the tenant denied access; Jul 15: he documented that there was a no show; tenant had no knowledge of the inspection; Aug 16: he inspected with the owner; some repairs were done; no access in 125 unit #1 lower; he Condemned the bldg and placarded the bldg on Aug 17 and required the whole bldg to be vacated
-Sep 20: he received a voice mail from the property owner requesting a date change to Oct 12; on Oct 12, the property owner was not present; repairs were not complete; he spoke with all 3 tenants about taking enforcement action and explained how to file an appeal; posted placards on the front & back doors
-this property has been very challenging; Inspector Neimeyer identified that there was a domestic dispute between the property owners where the owner and possible her husband got into a dispute about where rent money was being collected; they were*

nervous and nearly called the police; numerous complaints

Ms. Bonkat:

-I acquired the bldg with these tenants in there back in Oct 2015

Mr. Neis:

-the inspector was also told by the tenants that they were forced to sign a new lease

Ms. Beckom:

-I didn't have a lease new lease with the old landlord; the other tenants still had their old lease with the previous owner that expires this month

Ms. Moermond:

-it automatically renews unless you take action; you have to proactively terminate them and have you taken that step? The expectation for the timing is in the lease document itself

Ms. Bonkat:

-this is my first property

Mr. Neis:

*-obviously, the landlord needs some education; attend Landlord 101 class since she's a new property owner in St. Paul; the file has been a nuisance for a long time but until this property owner took over, there had been no complaints on this bldg for 2 years; all started again under the new ownership
-the building needs to be cleaned out & re-occupied*

Ms. Beckom:

-I'm not trying to move; all this has happened because the tenants know that she's a new owner and they know that she doesn't have the education; they called the city so that they don't want to pay rent; I am getting money together to get them evicted; no one in that bldg pays anything but myself

Ms. Moermond:

-if the tenants are withholding rent and it isn't under a court approved procedure, they are withholding it illegally; Ms. Beckom you have 4 children and have been in the homeless system before and you don't want to be in a hotel again; however, we have a house that has a ton of problems going on (bldg & people)

Ms. Bonkat:

-is appealing to you that Ms. Beckom needs somewhere to stay; give us a little more time

Ms. Moermond:

*-I believe that you have a legal obligation to ensure that is the case under the lease agreement that you have signed with her, if it's a MN standard lease agreement or Ms. Beckom, you can go to Southern MN Regional Legal Services (SMRLS) and they will inform you exactly as to what your legal rights are and what your property owner's obligations are to you
-this has to end
-Ms. Beckom, talk to SMRLS and the people at House Calls, 266-2400, a program at Ramsey County Public Health - they have social workers who are specialists in dealing with people and problem housing situations
-will recommend a Vacate Date of December 13, 2016; you'll have Dec 12 to finish the work; the inspector will come in the morning of the 13th and know that it's empty; and that applies to the other tenants, as well*

-\$10,000 and a decent handyman, who knows how to pull a permit, could accomplish this list

Ms. Bonkat:

-I have don't have \$10,000 in my account

Ms. Moermond:

-talk to a bank or you might lose a house

Grant an extension to December 13, 2016 for tenants in all units to vacate the property.

Referred to the City Council due back on 11/16/2016

11:45 a.m. Hearings

Remove/Repair Orders/Staff Reports

- 34** [RLH RR 16-11](#) Ordering the rehabilitation or razing and removal of the structures at 1698 LAFOND AVENUE within fifteen (15) days after the April 6, 2016, City Council Public Hearing. (Public hearing continued from April 6 and May 4)

Sponsors: Stark

Laid Over to the Legislative Hearings due back on 11/22/2016

- 35** [RLH RR 16-35](#) Ordering the razing and removal of the structures at 1242 HEWITT AVENUE within fifteen (15) days after the September 7, 2016, City Council Public Hearing. (Amended to grant 30 days)

Sponsors: Stark

Jessica Blanner, Attorney, Usset, Weingarden & Liebo PPLP, appeared o/b/o US Bank.

(Razing & Removal Ordered back to LH)

Inspector Steve Magner, Vacant Buildings:

-read letter dated Oct 26 to Tyler Layman, o/b/o Chronos Solutions (attached)

-we have a proposal from Housing Hub; it's broken down into sections but it doesn't list the actual vendor; total \$71,130

-I'm not aware that we have documents identifying time frame or financial commitment

Ms. Moermond:

-how long will it take to get the work done?

Ms. Blanner:

-my client is asking for more time; US Bank does want to work with the City; they want to do the work themselves; they are still deciding whether to raze or repair; the \$71,130 bid came in just yesterday

-going thru loss mitigation; it looks like our firm did not do this foreclosure

Mr. Magner:

- \$160,800 was the original mortgage amount in 2006
- there's a Notice of Pendency in 2013 and 2015 (from Ownership & Encumbrance Report)
- there's been some payments and some non-payments

Ms. Blanner:

- has the sheriff's certificate of sale - \$239,000

Mr. Magner:

- if there was \$160,000 originally and assuming there was a prior foreclosure; then, it stopped and all those payments would have been in abeyance; interest would be accruing; perhaps, they restructured the loan; something happened and it started again (those numbers can add up fairly quickly)
- what is the real dollar amount? I would go back to this 2013 day - a 7 year old mortgage; still a lot of principal that they're missing

Ms. Moermond:

- normally at this point, the City would like to see this rehabbed; it's mid-block; knocking it down would create a hole but sometimes even worse things are created by allowing a nuisance condition to continue
- I became aware today that the Ward 4 Council Office (the Council President's Office) has been receiving communication from neighbors for weeks about maintenance of this property; in particular, there are roof tarps that have been blowing in the wind, breaking up because they are so deteriorated; they are floating thru the neighborhood landing in neighbors' yards/gardens; it's not fairing well right now; it doesn't mean that everyone wants to knock it down; it means that they've lost their patience in waiting in waiting for the nuisance abatement to occur; so, I want to keep this moving; I also want to make sure that whoever is doing your property management is looking at this more holistically than they normally would
- if there's any interest at all in saving this property; getting a tarp property secured to the roof prior to it's repair is going to be necessary anyway
- the other thing that came up in the email conversation that happened was a sort of wholesale rejection of the idea that a bank would have to write a financial letter indicating that they would commit the amount needed to rehab (gave her a copy of such letter)
- I would like an answer from the bank; and we need a timeline along with the Work Plan (it gives us a good idea about whether the general contractor knows what they're doing)

Mr. Magner:

- from the beginning, US Bank hasn't really been engaged with the other part of their business model; generally, the cases that we see successfully go thru here have an attorney, who's representing their client; one who can communicate effectively what the City's concerns are and get a timely response from their client
- I think this Work Plan would probably work; it's in the ball park but we have a situation where we have a house that's in dire need of help; the original owner is deceased; the mortgage was in flux for a period of time.....someone has to make a decision, do they abandon it, fix it up or tear it down; no one wants to live next to that; we gotta do something

Ms. Moermond:

- I need to hear from you with:
- a Work Plan with a timeline built in - it can go up to 180 days to finish the project
- and a letter of financial commitment from the bank to do this rehabilitation
- the City Council Public Hearing on this is Dec 7, 2016-this is Laid Over to the Nov 22, 2016 LH at 9 am

-you'll receive a letter in the mail confirming all of this

Owner needs to submit a revised work plan to include timelines and a letter committing the funds for the project.

Laid Over to the Legislative Hearings due back on 11/22/2016

36 [RLH RR 16-34](#)

Ordering the razing and removal of the structures at 656 DESOTO STREET within fifteen (15) days after the September 7, 2016, City Council Public Hearing. (Public hearing held September 7 and December 7)

Sponsors: Brendmoen

Remove the building within 15 days (no change of recommendation from the August 9, 2016 hearing).

Referred to the City Council due back on 12/7/2016

1:30 p.m. Hearings

Fire Certificates of Occupancy

**37 [RLH FCO](#)
[16-160](#)**

Appeal of Mark Younghans, Safe Home Transactions LLC, to a Reinspection Fire Certificate of Occupancy With Deficiencies at 449 MOUNT IDA STREET.

Sponsors: Brendmoen

*Mark Younghans, Safe Home Transactions LLC, appeared.
Wendy Lane, Zoning Administrator, Department of Safety & Inspections (DS), appeared.*

Ms. Moermond:

-Mr. Younghans does not own the property any more and the new owner is not present

Ms. Mai Vang read the Resolve from the Resolution:

-the Legislative Hearing Officer recommends that the City Council deny the appeal and refer the owner to DSI-Zoning for approved site plan for the parking surface of the driveway and requests DSI staff to carefully review previous surfacing types in determining the acceptability of the proposal.

Mr. Younghans:

-I felt that was not where we left off that last time we were here but if that's the word now, we'll have to move forward from there

-Mai emailed me later saying that someone was going out there

-when we left here, you had said that I could go straight over there when I left here but I had to go to Delta; so, I went the next day or a couple days later and when I was there, they had no clue of what I was talking about; there had been nothing submitted; they had no idea what they should do, so, I was trying to get them to talk with Mai thru email or phone; I was trying to get everyone on the same page

-I left thinking that as long as I didn't change my driveway and that was indeed class 5, that we were going to get the variance

Ms. Moermond:

-and I said, "It doesn't look like class 5 to me; an inspector needs to look at it," and that is in the resolution

-we have an application into Zoning; asked Ms. Lane to explain

Ms. Lane:

-Oct 20, our office approved a request for a 16-resident sober house at this location

-we granted a reasonable accommodation for parking; the plan that was submitted for this location shows 3 parking spaces in the rear and 3 on the street, which is acceptable when we're reviewing the request for reasonable accommodations

-with the application, the applicant Jason Holm, submitted a plan showing that along the portion of the driveway that was previously concrete to the back, including the 3 spaces in the back, would all be paved with asphalt

-so, on Oct 20, 2016 the approval was granted for the sober house with the condition that they put in that asphalt parking in the back from the portion of the driveway that wasn't currently concrete to the back including the parking spaces (a change from what it is now)

-no deadline was attached; it would have to be done as a part of the Certificate of Occupancy process, which the fire inspector would follow up on

-the front portion of the driveway was currently concrete but not in real good shape; so, I don't know if they intend to repair the concrete portion with concrete or just asphalt over the whole thing

Mr. Younghans:

-all the sides, etc. had been patched with cement; entered receipts of all materials the contractor had purchased (scanned) that's in the driveway

Ms. Moermond:

-that's between you & the contractor

-class 5 is also known as durable, dustless surfacing; and dustless surfacing does not allow for footprints and there are plenty of those in the photographs that I have seen here

-asked Mr. Younghans why he has a continuing interest in this; is there some sort of provision in the closing documents that you're responsible for?

Mr. Younghans:

-yes; initially, what I thought was that if we determined that we could not have the unimproved surface (class 5), then, we would just have to black top over it

Ms. Moermond:

-sounds like the new owner submitted a plan for asphalt....

Mr. Younghans:

-the new owner and I agreed in the Purchase Agreement that if we had..... divide the costs

Ms. Moermond:

-dividing the cost is a private matter

-it sounds like in the plan there was no discussion of a class 5 surface in an attempt to keep it

Ms. Lane:

-the approval letter says that it has to be asphalt, concrete or pavers; class 5 isn't going to cut it

Mr. Younghans:

-class 5 would be below the asphalt; so, we need your dept to determine whether or not this is class 5

Ms. Moermond:

-they are allowed to repair existing surfacing; if there's an existing class 5 driveway, yes, they can repair it with class 5; evidently, it's been class 5 for a while; photos show asphalt peeking out from the class 5

-I wanted to put it to Zoning that it was OK for them to do that repair if it previously existed; and I didn't want to make the call that it previously existed; that's in your court when you go to do this proposal; we have no issue if they're proposing all hard surfacing

Ms. Lane:

-our staff from Zoning did not go out there to look at the site

-we're looking at the plan submitted by the applicant and based on that information, it was indicated that behind the driveway it was not previously a driveway or parking in the back; the plans that we saw - the aerial photograph shows it as being dirt; but regardless, in order to meet today's standards for a sober house, they had to bring that parking up to the current zoning code

Ms. Moermond:

-so, we have the site plan in and approved

-do they need a permit for this work?

Ms. Shaff:

-they don't necessarily need a permit but we would definitely look at what's been approved; the site plan

Ms. Moermond:

-my recommendation remains unchanged

-we'll add this to the record

-if you want to email a photo, go ahead

Mr. Younghans:

-so, are you saying that in order to qualify as a sober house, they have to have a finished driveway and the 3 parking spaces in the back; 3 spaces would be on the street

Ms. Lane:

-yes

Ms. Moermond:

Deny the appeal and refer the owner to DSI-Zoning for approved site plan for the parking surface of the driveway and requests DSI staff to carefully review previous surfacing types in determining the acceptability of the proposal.

Referred to the City Council due back on 11/16/2016

38 [RLH FCO](#)
[16-192](#)

Appeal of Linda Vang to a Reinspection Fire Certificate of Occupancy With Deficiencies at 287 ROBIE STREET EAST.

Sponsors: Noecker

Linda Vang, owner, appeared.

Fire Inspector Leanna Shaff:

-Fire Certificate of Occupancy inspection conducted by Inspector Jonathan Gaulke
-on Aug 26, 2016; inspector went out and talked with the tenant
-there's a picture of the lease that clearly states that this is not an owner-occupied house; that the owner lives at another address
-lease date is Jul 15, 2016 when she moved in
-the next inspection was Oct 18, 2017; there are quite a few Orders; good pictures; at that time, the tenants allowed access
-took photos of 3 bedrooms; tenants' oldest son has 1 bedroom; parents have the 2nd bedroom; the extra one is 3rd, which has clothes and a dress in it; otherwise, it's empty
-the property owner claims to live there; she was not at the inspection
-STAMP indicates 2 addresses for her: 1) 287 Robie St E; and 2) 2655 South Ave E, Maplewood MN
-we have no proof that the owner lives there at all

Ms. Vang:

-I'm appealing because I've lived at 287 Robie since 2011; I travel a lot for work and 99% of my mail goes to the Maplewood address where my parents live; the only things that goes to Robie is one of my bank statements and my I.D; I need my important information at my mom's, like my bills
-this is a single family home; there are 2 kitchens, one in the basement and one upstairs; the basement is not separated from the upstairs
-the individuals that have a contract with me; I've had other individuals live with me in the past and I've always made sure to have a contract in place because I've seen a lot of parties where there's no contracts; I need some kind of contract to make sure that they are going to pay the portion that they've agreed to; really, they are just my friends with a contract
-287 Robie is my primary residence and I do not live there often because I travel a lot for work and for pleasure; I'm a manager at a non-emergency transportation company; 80% of the time, I'm not home; I just got home yesterday and that's where I am right now

Ms. Shaff:

-showed Ms. Moermond a copy of the lease between Linda Vang and her friends, dated Jul 15, 2016
-you plan to take Landlord 101, which is a required class

Ms. Vang:

-I've owned Robie since; I own 2 rentals in Saint Paul and they are inspected regularly; I know the requirements that are needed

Ms. Moermond:

-so, you are saying that this is both my home, my owner-occupied location and it's also a rental property but because I live there, I want you to treat it like it's owner-occupied (how we define rental is really tricky on this)

Ms. Vang:

-friends were in the process of moving in when the inspection was held; they have completed moving in Oct; they were living with their parents; they use 2 bedrooms; 1 bedroom is mine; the friends are 3 adults: one couple and one is a single man

Ms. Shaff:

-Inspector Gaulke's words say that on Oct 18, 2016, he asked the tenants which bedrooms were theirs and the oldest son showed one; the parents showed theirs and the extra was the third

Ms. Vang:

-added that these individuals have a language barrier also
-the back yard is cleaned up; I never had a complaint

Ms. Moermond:

-she is looking at photos of furniture & clothing; 1) I see a bed in a room with a person in that bed; 2) another bed in another room and it looks like a person in that room plus 1 crib and a toddler bed (little kids under 5); I'm surprised that didn't get called out for being a lot of people

Ms. Shaff:

-I'm sure that Inspector Gaulke is aware of it; however, it's been not the best situation

Ms. Moermond:

-asked Ms. Shaff to refer some items to Code Enforcement:
-exterior branch; hole in siding; dryer vent; interior hard wire; kitchen sink floor rotting; may need to do Landlord 101 class; smoke detector affidavit & home heating test
-what an owner occupant would have to do: exterior branch; hole in siding; dryer vent (maybe); interior hard wire; kitchen sink flooring
-thinks that it's 90/10 that Ms. Vang doesn't live there but I'm going to talk with the City Attorney's Office about this; encouraged Ms. Vang to share any legal documents that she thinks would support her position
-will Lay this Over for 2 weeks to Nov 22 LH at 1:30 pm at which point she will put a decision on the record

Forthcoming recommendation.

Laid Over to the Legislative Hearings due back on 11/22/2016

39 [RLH CO 16-40](#)

Appeal of Ralph Karsten to a Correction Order at 1742 SELBY AVENUE.

Sponsors: Stark

Ralph R Karsten, owner, appeared.

Fire Supervisor Leanna Shaff:

-a complaint came in Jun 3, 2016: paint is chipped & peeling; retaining rock wall is crumbling into the neighbor's driveway; porch is used for storage-possible gross & unsanitary;
-the inspection was done by Inspector Rob Cory on Jun 6; he issued Orders: 1) west end porch has a tree intruding on the wall & roof; take care of roof to make it weather tight; the porch contains a large amount of cardboard boxes; painting, etc.
-today, Insp Cory states that the painting is still left to do
-in between history: in Jul, he took care of the tree; took care of most of the porch; on Aug 31, insp notes that the item left is the painting; property owner has someone to do the work; insp pushed the deadline out to Sep 30; on Sep 30, it still was not complete; insp sent another letter; on Oct 31, insp writes, "The walls will need to be completed by spring; it's too late in the year now"

Mr. Karsten:

-we had quite a few rain storms this year; and it took quite a while before the contractor could get the tree cut down
-what was not clear to me from this letter was about the painting; I thought that Insp Cory was concerned about the painting on the porch; I filed the appeal the day after I got this letter; I called the Insp, proactively, to let him know that I was making the

appeal; before this, I had called him and asked him to advise him what this letter was about but I never heard back from him; we always got the same boiler plate with no interpretation; it turns out, I found out yesterday, that he wants me to paint the entire west side of the house; I had talked to 5 different painters in the last 2 months and this time of year was definitely a problem; and several of them said, "If you're not having us paint the whole house, we're not doing it." I already had the south side of the house painted; I would have taken care of this all myself but I was in a car accident in Jul; now, I have a back injury so I can't get up on a ladder
-first off, the insp says that an inspection of the building was made on Apr 11, 2017 in response to the referral; we can all agree that this is incorrect; the complaint wasn't made until Jun, 2016, if I understood Ms. Shaff correctly; I just want to make sure that things are accurate because this letter seems to have been done in a very sloppy manner
-the deadline of Apr 14, 2017 is not realistic; I'm hoping to push this back 2 months; the last time that I talked to Mr. Cory, I got no response
-I know who filed this report because he lives right next to me and he told me himself; there has never been any food items or anything like that on the front porch; it's simply cardboard boxes; I recycle them

Ms. Moermond:

-the Order is hereby amended to reflect the actual date of Jun 3, 2016 and correct out the Apr 11, 2017 date in the first sentence
-also, as you must be aware, the City cannot share one iota of information about who the complainant is
-painting deadline date of mid-Jun is reasonable
-and for the record, the Order does say "throughout" (maybe not the best term; perhaps "the entire house" would be better words)

Grant an extension to June 16, 2017 to bring the exterior painting into compliance.

Referred to the City Council due back on 12/7/2016

40 [RLH FCO](#)
[16-190](#)

Appeal of Riaz Hussain to a Correction Notice-Reinspection Complaint at 1170 SEVENTH STREET EAST.

Sponsors: Bostrom

Riaz Hussain, tax owner & responsible party, appeared.

Fire Inspector Leanna Shaff:

-on Jun 10, 2016, we received a referral that the garage is structurally damaged and unsound; a section of the bottom left corner has fallen down; there are very large, deep cracks in the walls; the garage has been in this condition for over a year
-Inspector Efran Franquiz issued Orders on Jun 10; he issued Orders again on Sep 27; on Sep 29, he received returned mail stating it was "undeliverable;" he researched to find the correct address
-he again inspected again on Oct 13; issued Orders on Oct 18, 2016; compliance Nov 18
-these exterior Orders have been out since Jun on a structurally damaged garage; permits required
-I did not go out to look at this; we have photos

Ms. Moermond:

-was there anything in the inspector's notes about the wood under the stucco? In the photos, I can see whole sections of the siding missing; exposed wood members; I see in that the danger of the stucco surface conceivably hurting someone; what are we waiting for?

Ms. Shaff:

-it's definitely not a professional state of even boarding it up
-I'm not sure why this hasn't been addressed considering the state of disrepair; not sure, if we'd need an engineer but we do need a contractor to assess the damage and put together an estimate of what it's going to take to fix it
-it's an above ground structure on a slab, not built into a hillside (we don't need an engineer)

Ms. Moermond:

-strike that from the Orders, then
-it does need to be done by a licensed contractor under permit; not a handyman's job

Ms. Shaff:

-soon; we can't wait any longer on this

Mr. Hussain:

-I'm not understanding what structural damage means because that garage has been inspected every 2 years; there was never a problem; the cut in the stucco looks pretty bad but otherwise, it's solid; it's been standing for 90 years but I will have a contractor look at it, if you want but I do need some time for that

Ms. Moermond:

-OK; you don't need to have an engineer but looking at the cracks and infiltration, it needs a professional; you need to put the stucco back up

Ms. Shaff:

-what you put up allows water to get behind the stucco, the water rots the supporting wood structure and the stucco starts to crack & pull away; what you've done is not an adequate repair and it probably will make things worse
-they viewed the photos together; Ms. Shaff explained what was wrong and what needed to be done
-someone does need to evaluate it for it's structural integrity (licensed contractor under permit)

Ms. Moermond:

-you'll need a stucco contractor; get a couple of bids
-I will give you 2 weeks to get 2 bids from stucco contractors; if they can't do the work now, how do they recommend that the garage be weatherized for the winter
-will LAY this OVER for 2 weeks to the Nov 22 LH at 1:30 pm
-bring your estimates with you
-we will send you a letter

Layover for owner to get repair estimates.

Laid Over to the Legislative Hearings due back on 11/22/2016

41 [RLH FCO](#)
 [16-186](#)

Appeal of Blake Hayden to a Fire Inspection Correction Notice at 1290-1292 Euclid Street. (To be withdrawn and archived.)

Sponsors: Prince

Referred to building official.

Withdrawn

- 42 [RLH FCO 16-191](#) Appeal of Daisy Haung to a Fire Inspection Correction Notice at 436 MINNEHAHA AVENUE WEST. (To be withdrawn and archived.)

Sponsors: Thao

Referred to building official.

Withdrawn

2:30 p.m. Hearings

Vacant Building Registrations

- 43 [RLH VBR 16-70](#) Appeal of Kenneth Cobb to a Vacant Building Registration Fee at 512 CENTRAL AVENUE WEST.

Sponsors: Thao

Kenneth Cobb, appeared o/b/o Priscilla Cobb, deceased. The property has been probated and was left to Kenneth Cobb.

Inspector Matt Dornfeld, Vacant Buildings:

*-Inspector Reid Soley noted in the computer that Mr. Cobb was given Power of Attorney; according to Mr. Soley, he has documentation of that; however he can't speak 100% of having documentation; he has some papers from an attorney
-STAMP isn't working very well*

Ms. Moermond:

*-if Reid Soley doesn't have something in his file, I would like to make sure that the Vacant Building Program has your Power of Attorney act on behalf of Priscilla Cobb in matters relating to this house so that the city can freely interact and say, "It's all good"
-let's get the Power of Attorney on file*

Mr. Cobb:

*-I have some papers from my lawyer
-I've also been working with John Wolensky at the county to get things taken care of over there, too; the taxes have been taken care of*

Mr. Dornfeld:

*-Mr. Soley uses the word "if" Mr. Cobb submits a Power of Attorney; so we need that Power of Attorney
-Ramsey County has to show you as the owner of the property*

Ms. Moermond:

-I'm going to do what Mr. Soley did; I'm going to go thru this appeal; we are hopefully going to come to some conclusion and at the end, I'm going to say "if" Mr. Cobb demonstrates that he has Power of Attorney to act on behalf of Priscilla Cobb

Mr. Dornfeld:

*-this house was Condemned Jul 1, 2014 by Fire Inspection and transferred to the Vacant Building Program
-Oct 20, 2014, we opened a Category 2 VB file
-currently, there is a code compliance inspection report on file as of Apr 15, 2015
-a permit is pulled but not finalized*

-here to discuss the 2016-2017 VB fee
-have received multiple neighborhood complaints of possible illegal occupancy;
however, I've not been able to confirm that
-the property area has been maintained
-in speaking with Mr. Cobb, I tried to talk him thru the code compliance inspection
process from where he was at

Mr. Cobb:

-I've done a lot of work on this place; it's about 95% finished; it's taking so long
because of finances; I'm using my disability and my significant other works part time;
we've applied for financial help but haven't been approved for a loan
-we are also trying to pay the bills, the mortgage on the house, and our rent; it's a
long process
-I figure that I have about a day or two worth of work
-this house was built in 1974; and it's personal for our family; also a central location
for us
-we just need a little more time and little more money to finish this up
-I'd like to be out of the VB Program
-we put a lot of money & work into the house; I have a lot of receipts that show we
spent thousands of dollars on repairs

Mr. Dornfeld:

-a building permit was pulled Jun 15, 2015; no recent activity on it
-I'm not seeing an electrical, warm air or plumbing permits pulled

Mr. Cobb:

-the roof was failing which caused some other problems and all of them have been
repaired: roof, gutters, doors, painting, cleaning, some plumbing & some electrical
-I've already paid for the electrical; I just need a permit to do it; then, the plumbing is
left

Ms. Moermond:

-what about mechanical?

Mr. Cobb:

-the furnace has been cleaned & tested; dryer vent done; removed all disconnected
gas line (all that is done); it just needed to be checked to see if it complies; I've had
people come in to do estimates on it; there's not any work that needs to be done -
just needs to be checked for compliance

Ms. Moermond:

-you need a permit to pound thru this list; you need a heating inspector to sign off
-so far, we don't have plumbing or electrical or warm air and you haven't had activity
on your bldg permit for over a year; they might make you pull a new one; no inspector
has been out since Apr 14, 2015

Mr. Dornfeld:

-a permit goes dormant after 365 days

Ms. Moermond:

-I will Lay this Over for 1 month in which time you can get that Power of Attorney into
the Dept of Safety & Inspections (DSI); they will share it with me
-if we get that Power of Attorney, I will recommend that the Council gives you a 90
day VB fee waiver; that waiver allows you to take action - to pull permits to continue
doing the work
-when the fee becomes a proposed tax assessment onto your property taxes, which

is appealable; at that point, we can talk about prorating it if you're going to be done sooner or spreading out over a number of years if you're not going to be done sooner

Mr. Cobb:

-my goal is to have this done in 30 days

Ms. Moermond:

-my goal is to get that Power of Attorney here before I take action on it; give it to Reid Soley

Mr. Cobb needs to provide a copy of the Power of Attorney to DSI. STAFF REPORT.

Laid Over to the Legislative Hearings due back on 12/6/2016

44 RLH VBR 16-74 Appeal of Greg VanWert to a Fire Inspection Correction Notice and Vacant Building Registration Notice at 295 LARCH STREET.

Sponsors: Thao

Gregory L VanWert, owner, appeared.

Fire Inspector Leanna Shaff:

-Fire Inspection Correction Notice/ Vacant Building Registration fee

-as of today, the only remaining open permits are the 2012 building permit and the 2013 remodeling building permit; once those are closed, the building Certificate of Occupancy can be issued

-if we don't still have issues with Inspector Imbertson's Orders on the exterior, maybe we could Lay this Over for a couple of weeks giving the property owner some time to get those final permits closed

Ms. Moermond:

-we have issues from Code Enforcement; they're saying you are operating a commercial business without a C of O

-we have orders from Fire, which is the Revocation of the C of O - a laundry list of code violations

Ms. Shaff:

-there are 3 items left: 1) getting the permits closed; 2) the abundant exterior storage; and 3) inoperable vehicles

-if we can verify that the storage is code compliant and the building inspectors could probably finish their permits and they could be closed

-the bldg will have a C of O and get rid of the Revocation and not be in the VB Program

-mechanical steam permit was closed Nov 2, 2016

-St. Paul Regional Water Services closed their permit

-looks like they were finaled Nov 3, 2016

Supervisor Matt Dornfeld, Vacant Buildings:

-the Vacant Building Program opened a Category 2 VB based on Fire Inspection's Revocation

-we believe that the business remains operational at this time

-I spoke with the property owner on the phone and we went step by step thru this process and made progress

Mr. VanWert:

-back in Jun & Jul, I went down the whole list with all of the inspectors; Kristy Dickenson was there and I thought it was done; come to find out, they never entered

this into the data base that these items were completed and inspected; they never brought it to the finish line; that's why when Mr. Imbertson sent me those letters with all that mechanical stuff listed, I said, "That's all done;" I didn't really understand this should have been signed off on a long time ago

-after the inspection, if they say OK and say it's finalized, am I supposed to follow up? Do I have to make sure that they do their part? - the inspectors who do the final inspections

Ms. Moermond:

-I don't know what happened with the other inspections; the paper work I have now has you down to 2 building permits from 2012 & 2013; I think to myself, "Who's the contractor who did the work but not be accountable for getting a sign-off on the inspection"

Mr. VanWert:

-that is what was done...

Ms. Moermond:

-I see that you have some issues with storage; some doable issues with permits and also with exterior storage

Mr. VanWert:

-I am working with site plan review

Ms. Moermond:

*-I would like to get you to a place where you are operational and legal again
-the big thing you need is to get those building permits closed (2 with Virgil Thomas)*

Mr. VanWert:

-last week, he went thru and said that everything was finalized; only thing he wanted was to add Handicapped to the bathroom door; then, he said, "I've got your C of O for you but you have to pay this fine" (VB fee)

Mr. Dornfeld:

-so, he wouldn't finalize it because it was now in the VB Program?

Mr. VanWert:

-yes

-I've been having a really hard time with the fire inspector; I keep getting these letters; they have a date but no time; I tried to call Mr. Imbertson on the 13th at 7:47 am because these are so vague..... and I don't go to this property that much; right now, I'm taking care of a very sick girlfriend

-I like to get a time; even if it's a 2-hour window so I know when these are scheduled

Ms. Moermond:

-the letter on Sep 13 says that "everything needs to be done by Sep 13 or the property vacated"

-the inspector could tell by looking at the computer that not everything had been done because the permits for the bldg weren't finalized (2012 & 2013 permits); and he can also tell by looking at the computer that there wasn't a site plan that had been reviewed and approved

Ms. Shaff:

-thru the inspector notes, he writes on 10/17 - no progress to anything; the same permits are still open with no new inspections; no new site plan has been submitted and the lot is still being use for storage of junk, vehicles and other car parts

Ms. Moermond:

-I will call the building official and explain the situation of the 3 sets of Orders from 3 different divisions of DSI and ask him if he can have Mr. Thomas finish up his work, if possible, and take a look

-following up with the site plan and cleaning up the site - that's on you

-I can follow thru on my part today

-I will give you time to get your site plan in

Mr. VanWert:

-Virgil Thomas had told me that he was going to give me a temporary occupancy around Jun or Jul....

Mr. Dornfeld:

-from the computer: Virgil makes note on Nov 1, 2016 that reads: OK to issue temporary C of O pending 2 items that are OK'd from mechanical inspector and the handicapped placard on the restroom door

Ms. Moermond:

-go ahead and email Virgil photos of the handicapped placard, etc; that will save him a trip

-so, we are close

-I will give you a little bit of time before you get sent to the VB Program

-Lay Over to Dec 13, 2016 LH

-that will give you a month to wrap up your details; take care of business

-on Dec 13, 2016 LH, I will say that I will recommend to the City Council that you are out of the VB Program (so, no fees, no nothing; you've taken care of business))

-take this extra month to finish these details: get the site plan done, storage under control, permits signed off

VB fee waived for 30 days. Will check status of permits on December 13; if finalized, owner will be out of the VB Program.

Laid Over to the Legislative Hearings due back on 12/13/2016

45 [RLH VBR 16-71](#)

Appeal of Ryan North, North Garden Theater, on a Vacant Building Registration Renewal Notice at 929 SEVENTH STREET WEST.

Sponsors: Noecker

Waive the VB fee for 90 days without a hearing.

Referred to the City Council due back on 12/7/2016