



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
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651-266-8585

Tuesday, January 17, 2017

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 17-13](#) Deleting the Appealed Special Tax Assessment for Property at 351 BATES AVENUE. (File No. J1705A, Assessment No. 178504)

Sponsors: Prince

Delete the assessment based on review of video. (No one appeared.)

Referred to the City Council due back on 2/15/2017

- 2 [RLH TA 17-25](#) Ratifying the Appealed Special Tax Assessment for Property at 198 BRIDLEWOOD DRIVE (File No. CRT1705, Assessment No. 178204).

Sponsors: Prince

No one appeared.

Ms. Shaff:

 - single-family Fire Certificate, cost of \$519 plus \$155 for a total of \$674. Gold card was returned by Nardos Asfaw.*
 - We have sent appointment letters dated 04/12, 05/06, 05/31, and 06/23/16.*
 - Correction letters: 07/12 and 08/04/16.*
 - The original bill was \$722. Three no entry fees of \$72 each cannot be assessed.*
 - 2015 provisional fee of \$100 and 2016 provisional fee of \$103 cannot be assessed.*
 - Total fees recommended to be assessed is \$303 plus \$155 service fees for a total of \$458.*

All letters and bills, except 08/04/16 correction letter, sent to Nardos Tekleab 13853 Echo Park Ln, Burnsville, MN 55337. Correction letter sent to: Nardos Tekleab 1627 Clarke Springs Dr Allen, TX 75002. There have been updates to RC records regarding addresses and names since the FC of O was approved. 11/07 AND 12/17/2016.

Ms. Moermond:

 - concur with the recommendation.*

action minutes: Reduce the assessment from \$674 to \$458.

Referred to the City Council due back on 3/1/2017

- 3 [RLH TA 17-24](#) Deleting the Appealed Special Tax Assessment for Property at 794 FRANK STREET. (File No. J1705A, Assessment No. 178504)

Sponsors: Bostrom

Delete the assessment based on review of the video. (No one appeared; however, owner showed up after the hearing and was informed of the recommendation.)

Referred to the City Council due back on 2/15/2017

- 4 [RLH TA 17-11](#) Ratifying the Appealed Special Tax Assessment for Property at 1118 MARGARET STREET. (File No. J1705A, Assessment No. 178504)

Sponsors: Prince

Approve the assessment. (Although no one appeared, the video was reviewed and there was tall grass & weeds over 8 inches.)

Referred to the City Council due back on 2/15/2017

Special Tax Assessments - ROLLS

- 5 **RLH AR 17-6** Ratifying the assessments for Demolition services from June to September 2016. (File No. J1702C, Assessment No. 172001)

Sponsors: Stark

Referred to the City Council due back on 3/1/2017

- 6 **RLH AR 17-7** Ratifying the assessments for Graffiti Removal services during September 8 to October 29, 2016. (File No. J1704P, Assessment No. 178403)

Sponsors: Stark

Referred to the City Council due back on 3/1/2017

- 7 **RLH AR 17-8** Ratifying the assessments for Fire Certificate of Occupancy fees billed during August 8 to September 10, 2016. (File No. CRT1705, Assessment No. 178204)

Sponsors: Stark

Referred to the City Council due back on 3/1/2017

- 8 **RLH AR 16-109** Ratifying the assessments for Tree Removal services from September 2016. (File No. 1702T, Assessment No. 179001)

Sponsors: Stark

Referred to the City Council due back on 3/1/2017

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 9 **RLH FCO 17-12** Appeal of Kay Lovness, Chatsworth Properties, LLC, to a Fire Inspection Correction Notice at 1125 CHATSWORTH STREET NORTH.

Sponsors: Brendmoen

Kay M Lovness, Chatsworth Properties LLC, owner, appeared.

Ms. Lovness entered photos

Fire Supervisor Leanna Shaff:

-Fire Certificate of Occupancy Correction Notice

-appealed today: #2 & #3

-photos in the file

-#2 re cement wall for the side entry stairs has large cracks & openings; at front of bldg, there's missing mortar; the foundation bricks continue to separate quite severely

Ms. Lovness:

-I'm requesting an extension for that exterior work on the brick & foundation until spring

-had estimate of shoring up the wall (excavate the whole thing out & pull it up): \$6,000 - \$8,000; want to get other opinions/estimates of how that can be done

Ms. Shaff:

-#3 re exterior windows have cracked sills & ledges

-re block work where foundation is failing: I'm somewhat reluctant to wait; where we have unbalanced backfill - soil on one side & empty space on inside, we may be compromising the safety of the inhabitants; not sure about waiting until spring without an evaluation (perhaps it could be shored from the interior during the interim so that it doesn't fail)

Ms. Lovness:

-re her written statement: I just purchased this bldg in May, 2016 & I'm not appealing the shoring up of that retaining wall; the tenant has 2 other exits from the apartment, including an egress window and an exit that goes right into the basement

-concerned & stressed about the expense factor

-I have had the triplex for 20 years but I've always gotten great reviews on that & I just purchased this bldg in May & moved in Jul & put a lot of money/improvements into it already; all the money that's come into it goes right back to the bldg; it would really create a huge financial hardship if I have to do those sills, too; I do plan on upgrading; I always upgrade - when the windows are replaced, I will also do the sills & ledges

-I wasn't sure what needed to be done on the retaining wall

Ms. Shaff:

-I'm not sure if Brian Karpen looked at this wall

-this is a structural issue & I would think that it would be in everyone's best interest to have a structural engineer evaluate this and make an immediate plan, if need be, for shoring that up so that we don't have a failure

Ms. Lovness:

-the failure is on the outside wall of the stairs; not on the bldg wall

Ms. Moermond:

-it would be good to have it evaluated professionally to get a better sense of what we're dealing with; maybe temporary shoring would do the trick; then, we could put a longer time to repair it

Ms. Lovness:

-I am OK with an engineer coming out

Ms. Moermond:

-search the WEB - American Society of Engineers, MN - to get a list of structural engineers; he will need professional credentials; after than person comes up with something, we will have our structural engineer look at the plan to see if it makes sense

-I will Lay this Over to get a report back from a structural engineer

-the windows, sills, ledges- I think this is carpentry & painting

Ms. Shaff:

-we're looking at the windows, block, brick - tuckpointing; they are getting a lot of water

Ms. Lovness:

-my plan was to replace a couple windows each year, doing the worst ones first

Ms. Moermond:

-I think it's brick veneer; we've got water coming in behind it; some rotting; the snow melt is getting in between the brick veneer & wood framing (photos)

-bring me a proposed Work Plan for what's in the Orders

-within the next 2 weeks, get a structural engineer of your choice out there to

evaluate the retaining wall - incorporate his report into the Work Plan with a timeline

-get some bids; some info; see what works; then, we can put together a package

Continued to February 7 LH. Owner to provide a structural engineer report and a work plan with timelines by January 31. The work plan should include the window sills/ledges issue (need to get bids).

Laid Over to the Legislative Hearings due back on 2/7/2017

10 [RLH FCO 17-11](#)

Appeal of Brian D. Alton, McClay-Alton Attorneys, on behalf of Bridget and Tom Lee, to a Correction Notice-Reinspection Complaint at 853 FAIRMOUNT AVENUE.

Sponsors: Noecker

Brian D Alton, McClay-Alton Attorneys; Bridget & Tom Lee, owners, appeared.

Fire Supervisor Leanna Shaff:

-this is a complaint inspection on a single-family dwelling

-photos

-there's a fireplace in the backyard; Fire Inspector Sara Naglosky wrote Orders using the MN State Fire Code: 1) fireplace is too close to the neighboring property line; 2) does not meet distance requirements from the house, garage & combustible fence; 3) a plan & zoning review and approval from the fire safety division will be required before a bldg permit may be issued; and 4) immediately cease construction & remove the fireplace or obtain the required approvals & permits

-Ms. Naglosky is no longer with Fire & Safety Inspections; this was re-assigned to Inspector Her

-the biggest issue with this fireplace: a structure of this size is required to have a bldg

permit; staff will make sure that it's not more than 15 feet tall; that it has proper setbacks- that it's 3 feet away from the property line; etc.
-unfortunately, the record doesn't reflect that any of that was done; it just was built; so, now, we have a fireplace that's too close to the property line; when you submit your bldg plan, staff will make sure those setbacks are followed and that the structure is built according to plan and code; all would have been addressed at plan review
-I talked with Karen Zachow this morning; this still needs a bldg permit (you can work backwards on this) & you can go to the Board of Zoning Appeals (BZA) for a property line variance - these are the next steps to make sure that the fireplace can exist where it is

Ms. Moermond:

-so, we have a situation - this Order is written under the Fire Code, which is not the correct code for this to be written under
-I will recommend granting this appeal

Grant the appeal.

Referred to the City Council due back on 2/15/2017

11 [RLH FCO 17-5](#)

Appeal of Ferdinand and Gisela Peters to a Correction Notice-Complaint Inspection at 1728 HAGUE AVENUE.

Sponsors: Stark

Ferdinand Peters, owner, appeared.

Fire Supervisor Leanna Shaff:

-in St. Paul, we require secured 3+ unit bldgs that have common areas, boiler rooms, etc, have a keybox (Knox Box) - the box contains keys to those special rooms; in this particular case, it's supposed to be on the A side of the bldg (front); other entry/exit doors would have stickers on them indicating that there's a keybox, which alerts emergency personnel to the A side of the bldg
-in these Orders, they were ordered to put stickers on the bldg entrance doors; there is a keybox present

Mr. Peters:

-entered photos that confirm the keybox on the A side (front); apparently, there are 2 keyboxes on the front of the bldg and that is the only entrance to the bldg
-we bought the bldg in about 2000; this is a 5-plex; and we've been thru numerous fire inspections and we've never had an issue come up such as this
-the only thing that is on the deficiency list is 1. MSFC 506.2 - Repair broken keybox. If you need keybox opened, call the Fire Dept Communication Center at 651/226-7702 to make arrangements. If you need parts for the keybox, contact the Knox Company at 1-800-553-5669 or knoxbox.com. Per the Fire Dept: ALL EXTERIOR DOORS NEED KNOXBOX STICKERS.
-I sent you a letter dated Dec 23, 2016
-I went to MSFC 506.2 and it says absolutely nothing about this specific item (stickers)
-the DSI info sheet says, "The Fire Dept Alert Decal..... must be placed on the upper right hand corner of the entrance door where the keybox is located; additional decals must be purchased and placed on the upper right hand corner of all bldg entrance doors;" there are no other entrance doors on this bldg
-the city is enforcing a rule that doesn't exist
-the only doors that they may be referring to are private doors of tenants that go to back porches of the tenants
-and the Knoxbox will not open a tenant back door because the only key inside that

*Knoxbox is the key to the front door of the bldg; the only common area is the entry at the front of the bldg where the stairwells are to each one of the units in the bldg
-what does one of these decals look like? It doesn't say anything about where the keybox is located; it's like an emblem; (photo)*

-I believe that this is an arbitrary capricious rule that DSI is trying to enforce; there's no substantial evidence for what they put in this Order; the other doors are private doors for my tenants; and I want my \$25 appeal fee back

Ms. Moermond:

-I'm unclear about the doors you are calling "private" for tenants to patios

Mr. Peters:

-the tenants have a back door to kitchen to a porch that goes outside of the bldg from their private unit; it's private; not common; no one else can use it it's not an entrance to the bldg

Ms. Moermond:

-I want to get some pictures of the entrance, a head shot of the bldg, and the back doors to a porch

-we'll let you know within the week provided we get the photos

Recommendation is forthcoming. (Inspector to go back and take photos: head shot of the building and all exits.)

FEBRUARY 8, 2017 FOLLOW UP by LHO Moermond:

he Primary question is whether in this 5-unit building "stickers" should be placed on all exterior doors alerting emergency personnel to the presence and location of the required lock box. Section 506 of the 2015 MN State Fire Code clearly grants authority to the fire code official in this matter. The building in question was constructed in 1914 as a 4-plex and is currently in use as a 5-unit apartment building. The appellant argues that only the exterior door providing access to all tenants should be marked, indicating the other doors are "private" doors and not covered by the lockbox regulations. It is my recommendation to the Council to deny the appeal, as the Fire Code does provide more than an adequate breadth of discretion to the fire code official to require all exterior doors be accessible to emergency personnel through the keys in a locked key box and that all exterior doors be marked accordingly.

A second question posed in the appeal pertained to the types of key box required, as Saint Paul requires the use of "Knoxboxes." Again, the code (MN FC 506.1) gives the fire code official latitude to determine what is an approved type of lock box.

506.1 When required. Where required. Where access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved locations. The key box shall be of an approved type and contain keys to gain necessary access as required by the fire code official.

Exception: One-and two-family dwellings need not be installed with lock boxes.

506.1.1 Locks. An approved lock shall be installed on gates or similar barriers when required by the fire code official.

FEBRUARY 10, 2017 FOLLOW UP by LHO Moermond

I was provided a memo February 9, 2017 which indicated the policies and practices

of the Fire Department and Fire Inspections had changed following the Legislative Hearing. That information is summarized in the memo I requested from Manager Wiese, which is attached to this record. Wiese has withdrawn her staff's orders on this violation because of the change. I am therefore amending the recommendation reflected in the above statement: denial of the appeal to grant the appeal as the orders were withdrawn.

Referred to the City Council due back on 2/15/2017

12 [RLH FCO 17-14](#) Appeal of Greg Adelman to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 908 LAFOND AVENUE.

Sponsors: Thao

Greg Adelman, owner, appeared.

Fire Supervisor Leanna Shaff:

-Fire Certificate of Occupancy inspection conducted Jan 6, 2017 by Fire Inspector Laura Huseby

-appealed is #3: provide & maintain an approved escape window from each sleeping room or area or discontinue use of that area as a sleeping room. Both windows open onto an enclosed porch.

-requirement is that escape exits don't go thru any intervening spaces; they must go directly outside

Mr. Adelman:

-I bought this house in 1997 and went thru numerous inspections; the house always met the criteria

-throw away the picture of the porch because we were just completing a roof replacement (\$12,000); Ms. Huseby happened to come just as things were winding down and the porch was being used as a staging & tool supply area, which makes it look as though the porch is a mess; it's never like that; a few days later, all those materials were removed and that's how we keep the porch; our basements are clean, too

-we used to have 14 properties in St. Paul; I know the drill

-I know that no matter what, they are going to sleep in that area; the other bedroom is quite small

-this room looks like a bedroom; it has a closet, etc.

Ms. Moermond:

-or a living room; it's the front of the house; it was built to be a living room, right?

Mr. Adelman:

-it was built as a duplex; although, I can't prove that

-the enclosed porch seems to be the caveat, so, I'm not going to make too much drama about this; so, describe what's enclosed; what's not enclosed

-I want to keep this as a 2-bedroom unit

-I brought pictures on my phone; I can email them

-I can take the storm windows out & I can take the new door back

Ms. Moermond:

-yes, the door needs to go, too

-another solution would be to install another window in that room

Mr. Adelman:

-I can open the porch tomorrow

Ms. Moermond:

Deny the appeal. Front room may be used for sleeping if owner removes the windows and door leading to the enclosed porch.

Referred to the City Council due back on 2/15/2017

13 [RLH FCO 17-9](#)

Appeal of Fawn Vo to a Correction Notice-Reinspection Complaint at 913 MARION STREET.

Sponsors: Thao

Fawn Vo, owner, appeared.

Heather Myers, Southern Minnesota Regional Legal Services (SMRLS), appeared, representing Miriam Martinez, tenant. (Ms. Myers is here to learn about this situation.)

Fire Supervisor Leanna Shaff:

-Fire Certificate of Occupancy complaint inspection conducted Nov 21, 2016 by Fire Inspector Efrayn Franquiz

-there are 14 Orders: missing smoke alarms, cracks/holes in walls& ceilings garbage on exterior, water in egress window well.....

-owner is appealing because tenant did not pay & she doesn't want to fix it until the tenant is out of the house

-there are a lot of complaints: dryer not working; trash not being picked-up; Jan 4

-roach infestation in bathroom ceiling

-several life-safety issues

-there are no new photos for the property

-the re-inspection has not been made

-owner called me yesterday informing me that no work has been done; tenant will destroy the place again if she does put in new work

-owner will be seeking legal services to evict the tenant; is requesting 2 months to do so; Inspector Franquiz did not grant her an extension

Ms. Moermond:

-a lot of deferred maintenance

-what happened today in housing court?

Ms. Myers:

-we settled the eviction with a series of payments; and the tenancy will be ending Apr 30, 2017

-I let her know that she is still obligated to make repairs

Ms. Vo:

-Nov 2015, an inspector came in to inspect; he said the house was beautiful; and within a year, the tenant trashed the place; I fixed it and now, it's trashed again; the lease says that if anything is damaged, the tenant will have to fix it

-I'm buying materials but the tenant will have to help me to fix it

-I bought alarms: smoke/CO in 2015, right after she moved in; everything was fine; & now, things are missing again; as soon as I fix it, she will do something to it

Ms. Moermond:

-I'm puzzled about the situation about the smoke/CO alarms

Ms. Shaff:

-Inspector Franquiz was out there after 24 hours & it was fixed

Ms. Myers:

-I can't speak to what happened to the alarms but Ms. Martinez said that she installed them & put batteries in them

Ms. Vo:

-she's been there 2 years & 2 months; I fixed everything before she moved in; after she moved in, inspector came out & checked again - everything worked; and within 1 year, everything was trashed again

Ms. Moermond:

-the dishwasher & washing machine don't work (?)

Ms. Vo:

-they don't work; I will taken them out; I bought them brand new; in 2012, the house burned down, so I remodeled the house completely; and as soon as she moved in, things happened again; then, she said that the house was old and falling apart; she says it's not her fault, & she wanted me to fix it all again

Ms. Moermond:

-priority #1: smoke / CO alarms; priority #2: electrical work; the rest are maintenance issues

-there is no requirement that a microwave, washing machine or dishwasher be provided

-I'm concerned about the hole in the ceiling; a patch job would work; let's get an electrician in on the electrical issues

-I'll give until the end of Apr to do the balance of the work

Ms. Vo:

-she will move out Apr 30, 2017; and as soon as she goes, I will remodel it all again; I need a month

Ms. Moermond:

-deadline: Jun 1, 2017; except for the smoke/Co alarms & electrical work (duplex outlet; damaged light switches, etc. ceiling patchwork): Feb 1, 2017; permits are required where needed

Grant an extension to February 1, 2017: 1) items related to electrical repairs and must be done under permit, if required; 2) the smoke detectors and carbon monoxide alarms need to work properly; and 3) patch the large hole on the first floor bathroom ceiling. Grant an extension to June 1, 2017 for the remaining items.

Referred to the City Council due back on 2/15/2017

14 [RLH FCO 17-6](#)

Appeal of Lon LeVitre for ResCare MN to a Correction Notice - DHS Licensing Inspection at 1585 RICE STREET. (To be referred back to Legislative Hearing on March 7; Council public hearing to be continued to March 15)

Sponsors: Brendmoen

Lon LeVitre, Residential Operations Manager, ResCare MN, appeared.

Fire Supervisor Leanna Shaff:

-Correction Notice for a DHS licensing inspection on Dec 15, 2016 by Inspector Jim Perucca

-11 items on the list

-#3 & #8 are being appealed

-#3 - provide code compliance guardrails for all interior stairwells
-#8 - replace missing fire rated doors ("Fire doors leading from the hallways into the bedroom common areas have been removed; you may either replace the hallway fire rated doors or provide fire doors to each sleeping room throughout the bldg")
-in the appeal re: #3; it says they service only adults; there are no children present

Mr. LeVitre:

-there are wrought iron guardrails that have a 6 inch space between each wrought iron spindle; they are saying that a 4 inch space is required; I'm assuming that's because a child might be able to fall through that 6 inch space

Ms. Moermond:

-you have a wrought iron guardrail that needs to be converted from having 6 inch spaces to 4 inch spaces between its spindles

Mr. LeVitre:

-I was told that it really couldn't be converted unless it was taken out and taken to a welder, who would insert additional spindles
-we do serve only adults; it's not like an apartment situation where children could be running about; it's very rare that we have children visiting our bldg; and when they do visit, we have a visitors' policy that says children just don't get to run around the bldg; they need to remain in the visiting area and be supervised
-introduced pictures of railings on his phone; will email them
-the railings have probably been there since the bldg was built

Ms. Moermond:

-could be handled a number of ways: 1) replace railings entirely; 2) install intermediate spindles; or 3) install plexi glass to the link of the entire railing, which would be relatively affordable and you keep the decorative feature intact

Mr. LeVitre:

-note: we have two awake overnight staff on each night
-entered a document of the 12 fire drills that they conduct in a year; example of fire drill completed in 3.5 minutes
-they are asking us to put fire doors that will last 1 hour on bedrooms when our bldg is completely sprinklered - our system is certified annually; has all required smoke detectors / CO alarms
-the reason that we took the apartment doors off the building for the population that we serve is because we want to be able to make sure that aren't places where something could happen to a vulnerable adult behind a closed door; they are given a key to their room and they are able to go into their room but then, in the common area, we don't put another door that would close off an area; we wouldn't be able to monitor that area

Ms. Moermond:

-I feel differently about this one because of the sprinklering, which I find very compelling

Ms. Shaff:

-I'm always mixed on that; sprinklers are always fantastic - the other piece is how much risk are we willing to take when we're dealing with fire life-safety issues; we are lucky if you have 1 1/2 - 2 minutes once the fire alarm goes off..... and it's not like all the sprinkler heads go off at once
-the Order says, either replace the hallway fire rated doors or provide fire doors to each sleeping room throughout the bldg - and we have just regular doors

Mr. LeVitre:

-they're hollow core doors; another benefit to the hollow core door is that many people don't have broken hands right now because they have hollow core doors on their bedrooms; if we put solid core doors on the bedrooms, in 5 years, we'd have 3-4 people with broken hands from hitting their doors

-we do have fire doors to each of the sleeping/apartment type areas; it's a former 11-unit apartment bldg that's been converted into a 14 person group home

-we took off the fire doors to each apartments to allow for common places and for staff to be able to observe them

-to put the 14 fire doors back onto their bedrooms would be

Ms. Moermond:

-balancing in the interest of the residents and their safety from self-injury and staff being able to get to them, we do have the sprinkler system and a 24/7 staff monitoring

-I'll sleep on it; I'm leaning towards you

-you will hear from me in a week

Mr. LeVitre:

-I will email photos

Ms. Moermond:

Recommendation is forthcoming on the fire rated doors; grant to July 1, 2017 for the interior guardrails to come into compliance.

Referred to the City Council due back on 2/15/2017

15 [RLH FCO
16-212](#)

Appeal of Kimberley Intel, Angel Properties, to a Fire Inspection Correction Notice at 1123 EDGERTON STREET.

Sponsors: Brendmoen

From Dec 20 LH: Laid over to January 10, 2017 Legislative Hearing for the following to be done: 1) the property is released from the Fire Certificate of Occupancy program; 2) the lawn mower is to be removed immediately from the porch; 3) provide a work plan with timelines by January 10, 2017 for bringing the property into compliance; and 4) obtain an evaluation of the garage's structural integrity by appropriate industry professionals by March 1, 2017.

Review plan was submitted for review.

Work plan and proposed deadlines accepted to be followed by Code Enforcement staff and extension is given until March 1, 2017 except for the garage pending evaluation by professionals which will be written in a separate order.

Referred to the City Council due back on 2/1/2017

2:30 p.m. Hearings

Vacant Building Registrations

16 [RLH VBR 17-2](#)

Appeal of Nancy Day to a Condemnation/Order to Vacate and Vacant Building Registration Requirement at 457 TOWER STREET.

Nancy Day, owner and Lauren Lightner, House Calls, appeared.

Rich Singerhouse, Vacant Buildings:

-update:

-this was heard 2 weeks ago

-it was a Condemnation referral from Code Inspector Hoffman

-we went out 12-20-16 and opened up a Category 2 Vacant Building

-we were supposed to meet Ms. Day before the hearing but we could not get together yet

Ms. Lightner:

-we do have a dumpster there; I personally visited the house Jan 9, 2017; the kitchen was in very good condition; the bathroom was in good condition; the children's bedrooms were in good condition; the basement had some clutter; and her own personal bedroom had the most clutter; she had done quite a bit of work

-we are offering our assistance to keep her & the kids in the house

-we are offering our assistance to keep her & the kids in the house

Ms. Moermond:

-we have to get an inspector in the house

-you were saying that the cleaning is scheduled for the end of this week; so that perhaps, Mon, Mr. Dornfeld & Mr. Singerhouse could inspect the house

-I would like that they could lift the Condemnation after that inspection; and that the other Orders on the list could be converted into a Correction Order

Ms. Day:

-the smoke / Co alarms are installed & working

-we are working on getting all the clutter out

-the basement is still an issue

Ms. Moermond:

-if the cleaning crew is coming out Fri, the odds are better that you're going to pass the inspection

Ms. Lightner:

-I'm optimistic

Ms. Moermond:

-while you're in this hearing process, the VB process is being stayed during appeal

-will Lay this Over to get a staff report on Jan 24, 2017 LH

Continued to January 24 for a STAFF REPORT: Supervisors Matt Dornfeld and Rich Singerhouse will inspect the interior of the building and present findings at the January 24th hearing.

Laid Over to the Legislative Hearings due back on 1/24/2017

17 [RLH VBR 17-3](#)

Appeal of Anita Alexander to a Vacant Building Registration Notice and Summary Abatement Order at 541 CENTRAL AVENUE WEST.

Sponsors: Thao

Anita Alexander appeared.

Ms. Alexander:

-Alois Powers is my sister; I'm not a legal Power of Attorney

Inspector Rich Singerhouse:

-on Dec 28, 2016, Inspector Lisa Martin, who had received a complaint regarding a

hoarding situation & tried to inspect the house; she found clutter & mail at the entrance; she knocked & rang the door bell several with no answer; the door was unsecured so, she called SPPD for a welfare check; per dispatch, she heard that the owner had been taken to the hospital; at that time, she documented what she saw and Condemned the house and called the Vacant Building Program, who came over and had the house emergency boarded

-Inspector Matt Dornfeld opened a Category 2 VB file on Dec 28, 2016

Ms. Alexander:

-Ms. Powers had been admitted to the hospital on Christmas night; she is in a rehab center now and will come home Fri

-my sister is very much a hoarder; she wasn't taken care of herself or her house

Ms. Moermond:

-explained that Lauren Lightner, House Calls Program, works with hoarders/people in housing crisis; that may be a connection for you and your sister

Ms. Alexander:

-I'm not clear on this; at no time, has this house been vacant; she lived there for 29 years; the front door had been left unlocked, unintentionally, when she was taken by ambulance; this is just a case of her falling a number of times

Ms. Moermond:

-what happened, an inspector went out and she saw the condition & knew that the house was unoccupied; if, it had been occupied, a placard would have gone on the door saying, "This building is Condemned and Unsafe for Human Habitation;" which triggers it going into the VB Program immediately, in a situation like this

Ms. Alexander:

-she says that she had to pay a VB fee, \$2,085, by Jan 28, 2017 and there's no way she could do that; and having to register it as a VB... Is it legally still a VB when a person lives in it but she wasn't there that day?

Ms. Moermond:

-no; it's because it's Condemned & she's not allowed to live there until things get cleaned up & fixed up; it's for that reason that it's in the VB Program (Chap 43 Legislative Code has a definition)

-registering it is for finding out the right contact people for that house

-at this juncture, the appeal process, we want to help you do what you want to do with this house & slow the process down; I think that you don't want to pay the fee; you want to get the house off the VB list and either get it cleaned out & her moved in safely with perhaps, appropriate support services or get her moved out & get it sold, getting the most equity that she can

-there are some things that we can do to slow the VB fee down; for now, let's waive it for 90 days; that will allow you to apply for a code compliance inspection & pull the necessary permits for repairs without having paid the VB fee

-first of all, the house needs to be shoveled out

-what kinds of things does your sister hoard?

Ms. Alexander:

-everything: paper, cardboard, she shops a lot; doesn't take out the trash, etc.. it's bad

-I had a 20 yard dumpster delivered this morning; & I'm calling Restoration

Professionals back out tomorrow to take off the clips and I'm having Apollo Locksmith come tomorrow to put locks on the front door

-it will be a challenge

-she will be coming to live with me for a while

Ms. Moermond:

-House Calls Program will get you free dumpsters; you're going to need more than a 20-yard one

-involving a 3rd party with hoarding can help with the strain in family relationships

Mr. Singerhouse:

-code compliance inspectors won't go into the house until it's cleaned out; provide a lockbox or meet them when they come out; they will compile a list of deficiencies that need to be repaired; once that work is done, your contractor will sign off on the permit; then, the city inspector will inspect & sign off on it

Ms. Alexander:

-I will need to determine whether or not she will be able to take care of herself & her house once she feels better

Ms. Moermond:

-once you get the code compliance inspection report, the house can be sold to someone who can show that they have the financial means to rehab it

-the code compliance inspection report can be substituted for the Truth in Sale of Housing Inspection Report (TISH), which is required in St. Paul

-when the 90 days expire, the VB fee will be processed as a proposed tax assessment onto the property taxes; at that juncture, it is also appealable; send back the yellow post card to appeal

Deny the appeal but waive the VB fee for 90 days to allow owner to obtain a code compliance inspection and pull permits for the repairs. In the meantime, the interior of the house must be cleaned-out in order for inspectors to gain access to make inspections.

Referred to the City Council due back on 2/15/2017

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Appeal of Kevin Lee to a Vacant Building Registration Renewal Notice at 640 CENTRAL AVENUE WEST.

Sponsors: Thao

Kevin Lee, owner, appeared.

Inspector Rich Singerhouse, Vacant Buildings:

-house has been vacant since Dec 10, 2008

-a sale review was approved on Jun 13, 2016 to Kevin Lee

-recent permits are on file

-the annual VB fee is past due from Dec 10, 2016

Mr. Lee:

-I'm working away on the house; it's a large duplex: 5 bedrooms upstairs; 5 bedrooms downstairs

-I'm hoping to finish by Mar, 2016

-asking to have the VB fee waived

Ms. Moermond:

-the anniversary date for being in the VB Program is Dec 10

-a 90 day waiver gets you until Mar 10, 2017

-I'm encouraging you to get it done sooner than later by prorating the VB fee

-I will recommend a 90-day VB fee waiver; if you can't meet the Mar 10 goal, we'll talk

again at tax assessment time

Waive the VB fee for 90 days.

Referred to the City Council due back on 2/15/2017