



# 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*  
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Thursday, August 10, 2017

9:00 AM

Room 330 City Hall & Court House

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### EMERGENCY HEARING

#### 10:00 a.m. Hearings

#### Orders To Vacate, Condemnations and Revocations

**RLH VO 17-30** Appeal of Geraldine Blackhawk to a Condemnation as Unfit for Human Habitation and Order to Vacate at 1762 REANEY AVENUE.

**Sponsors:** Prince

*Jerry Kaluzny, Southern Minnesota Regional Legal Services (SMRLS) appeared on behalf of Geraldine Blackhawk*

*Also appearing: DSI staff: Supervisor Paula Seeley and Inspector Stephan Suon; and Erica Minus, The House Calls Program, Ramsey County*

*Mr. Kaluzny:*

*-I was planning to file the appeal at 10 am today; I thought Ms. Blackhawk had an appointment to file it*

*Ms. Moermond:*

*-the appointment was to have the hearing*

*Mr. Kaluzny:*

*-I asked if she had filed an appeal yet & she said, "No"*

*Supervisor Paula Seeley:*

*-Condemnation/Order to Vacate with a 48-hour turn around at 1762 Reaney  
-our office received a complaint of a gross/unsanitary home; Inspector Suon went out there and wrote up as much stuff as he could find; he asked me what to do & I advised that he Condemn the house; there were so many hazards: gross/unsanitary; over occupied; illegal bedrooms in basement; a lot of clutter; strong urine smell; egress windows are blocked; several light fixtures missing; cover plates missing; no smoke/CO detectors; the men there a constantly drunk; stairwells were blocked & dilapidated; holes all over the walls & doors; flooring all busted up; many combustibles around the furnace & water heater; something's leaking above the laundry tub; fixture in bathroom has exposed wires;  
-inspector found 11 people, 4 of whom were kids - all related*

*Ms. Moermond:*

-suggested that more of the "other" violations should be moved to the principal violations

Ms. Minus:

-I was assigned to this case just yesterday right before I left; so, I'm here to gather some information

-Lauren Lightner talked with Stephan yesterday

Mr. Suon:

-I called House Calls because I thought that they could use all the help they can get

Mr. Seeley:

-there are mental health issues; alcoholism, etc; no one is working

Mr. Kaluzny:

-Al Harris, my office, contacted House Calls, too

-I just learned about this on Tue, Aug 8; the house was inspected/placarded Tue

-this is the Blackhawk's family home; Donald Blackhawk passed away a couple of years ago and Georgelene Blackhawk passed away about a year ago; they are Geraldine Blackhawk's parents

-Probate is pending in Ramsey Co; it's almost completed; it would appear that the title to the house will be in Geraldine & her brothers' names; up until now, all of her brothers have been living there with Geraldine; Geraldine's daughter lives there with her 4 children; no question, there's some overcrowding, which has been the problem

-I think this whole thing started when one of the brothers, who was extremely intoxicated, called the police on an issue that happened there; SPPD came in & didn't find anything other than this place was a mess; that's probably how the call was made to DSI; that's my understanding

-I think that the city's inspection was kind of a wake up call

-Geraldine called our office right away on Tue; I sent Al Harris out there yesterday & he confirmed that the house was a gross/unsanitary - a mess & what was going on; and Al is good at counseling people on how to take care of these problems

-I haven't seen it with my own eyes but they've told me that the whole basement has been cleared out of stuff; it's now in the backyard; they are making arrangements to get a trailer to get rid of it

-3 of the brothers are kicked out; they've got no place; they were staying in the basement

-our plan was to have as much of the clutter taken out before the hearing, which I thought was next Tue; we took before pictures and plan to take after pictures

-Geraldine is sober & very cooperative; feels overwhelmed

Ms. Moermond:

-but the brothers do have ownership rights; tomorrow, they could move back & live in the basement

Mr. Kaluzny:

-this is a work in progress; I'm only a day into this case

-it will take a while to get the mechanical taken care of by a licensed plumber & electrician; there are some resources; I haven't had time to go through this

-when I took this case, it was my intention to show you what progress we made but I didn't realize that the hearing was today and not next Tue

-I'm asking that we be given an opportunity to take care of as much as we can by Mon and continue this hearing on Tue morning; we'll have pictures & an inspection

Ms. Seeley:

-the upstairs bedrooms are full too and the egress windows are blocked with clothes

& chests of drawers, etc.

-Erica, House Calls could probably get them a dumpster

-we'll need to figure out their sleeping arrangements; the sq. footage of each bedroom; I talked to Steve and only 6 people can be in that house, including kids

-we didn't take bedroom measurements; hard to do with all that clutter

-Ramsey Co lists total finished sq. footage as 1253 sq.ft.; and our Ordinance requires 120 sq.ft space for 1 person & 100 sq.ft for people after that

Ms. Minus:

-we can provide 3 dumpsters free to her; I need a contact phone number for Geraldine

Mr. Kaluzny:

-that would be perfect

-Mr. Harris counted 5 bedrooms

Mai set up the conference phone so LHO/Mr. Kaluzny could speak with Al Harris, SMRLS, & Geraldine Blackhawk

Mr. Harris via conference phone:

-I was there yesterday about 11 am; I counted 5 bedrooms; there was evidence of people sleeping in the basement; it's a large place; it has a main level, upstairs & basement; had an attic but I didn't go up to it

-she has a bunk bed in one of the larger bedrooms; I think that one of the rooms sleeps 3 or 4

-the small bedrooms upstairs look as though they were originally constructed; it has a steep roof

Ms. Moermond:

-the county lists the finished square footage at 1253 sq.ft. so that is quite a moderate sized house

Mr. Harris:

-the basement was in the process of being emptied

-the backyard was full of things; my first thought was how appropriate it would be to connect them to House Calls because they probably need that type of assistance

-I got the impression that most people there were related

Ms. Moermond:

-asked if there was an escape window in the basement

Mr. Suon:

-no

Mr. Harris:

-living there is Geraldine, her daughter & her 3 kids; another lady & Geraldine's 3 brothers

Ms. Seeley:

-noted that 6 people can live there if they meet the bedroom requirements of 120 sq.ft. for 2 people and 100 sq.ft. for another person; Google says it has 3 bedrooms

Ms. Moermond:

-we will have to get some measurements for the bedrooms

Mr. Kaluzny:

-the final Orders for the Probate are in; they are ready to title it  
-it would be helpful if they could get the dumpster for the weekend; say it's an emergency situation

Ms. Seeley:

-I was told by the dumpster company that they could get a dumpster out to the property the same day if House Calls wants it

Ms. Moermond:

-let's push them on getting the dumpster out there tomorrow so they are continuing to actively clean out the house

-condition: only Geraldine, her daughter & her 3 kids living there until we reach resolution; the brothers can't be there for the moment; if the brothers come back, the deal is off; maybe they can come back in the future

Mr. Kaluzny:

-I agree; I think they are part of the problem

Ms. Moermond:

-do we need a letter for SPPD so they know who can be there & who are not allowed to be there?

Ms. Seeley:

-we work with Chris Hansen

Ms. Moermond:

-this house is Condemned; keep it placarded; right now, we'll allow continued occupancy as long as they're working with House Calls to get it cleaned out & as long as it's only occupied by those people; we can put off a Work Plan for dealing with the rest of the stuff until Tue, Aug 15 LH

-the Orders talk a lot about how much emergency egress is blocked: hallways, stairs, windows - emergency pathways; also, no smoke/CO detectors

Mr. Harris:

-I will go out there tomorrow to help direct clearing the emergency pathways, etc; and remove accumulated clutter around the furnace & water heater

-I believe that Geraldine has a copy of the Orders

-Geraldine seems to think that the furnace/water heater are in good working condition

Ms. Seeley:

-it's filthy & rusted around the water heater; we require both the water heater/furnace be looked at but if she's on Energy Assistance, CAP does that for her

Ms. Minus;

-we'll try to get her on that, if she isn't

Ms. Moermond:

-right now, Geraldine Blackhawk doesn't own this house & her brothers don't own this house; it's in probate but they don't own it yet; there is no title recorded indicating that they are in ownership position, which means that the house is a non-owner occupied property & arguably, needs a Certificate of Occupancy; I don't want to go there with it but they have no responsible party; if we do go there, there is no way for them to get that & the place would need to be vacated because they have been irresponsible; I will tell her that because I want to make sure she understands the serious situation she finds herself in right now & we have got to get this squared away

-I can live with this being in probate & her being close to being in ownership; I trust

*that she will get there but we need her to step up & be responsible*

*Ms. Geraldine Blackhawk on speaker phone in hearing room:*

*-Probate is done (I & my 6 brothers are owners; all of us will be on title on the house)*

*-I am raising my daughter's kids: Amera is 14; Baker is 11 and Nhia is 12; my daughter comes by but doesn't live here*

*-I have 6 brothers; 4 of them were living with me when the inspector came on Tue: John, Mark, Reggie & Gerald; John is still here; he has his own room; Mark, Reggie & Gerald had been living in the basement; no one is in the basement now & we have it completely cleaned out; we are waiting for a power washer today to wash it down*  
*-there are 5 legal bedrooms in the house (2 on the main floor-med size; 3 upstairs - a large master bedroom & 2 smaller bedrooms); also a bathroom & hallway upstairs; upstairs there's a full size bed in one room, entertainment stand & TV; a queen size bed in another with a dresser, a night stand; and the big room has a full size bed, bunk beds, dresser & night stand*

*-there's been no add-ons but when we moved here, it was a duplex; we moved from the housing projects, they made it into a single family home; we were all kids when we moved here*

*-upstairs I can't touch the ceilings; slanted on some sides*

*Ms. Moermond:*

*-I want you to be aware of this: you, technically, are not the owner of this property right now; it's in limbo; if it's in Probate, you still don't own it - not until that title is recorded with the county; so, the city would treat this as a non owner occupied property & you would need to get a full Certificate of Occupancy inspection & follow those rules but you are close to being in an ownership position (you & your brothers); I want you to be aware that it's a non-owner occupied property because as such, if we push that button & say we're done with this, you don't have a Certificate of Occupancy to live there as a non owner occupant; so you would lose both on the fact that the house is Condemned & the fact that the house is not owner occupied or essentially, a rental without a landlord but you are so close....*

*-we have a list of things that need to happen to allow you to continue to live there while you work on the bigger list; we cherry picked that long list & made decisions on what you need to do now so you can continue to live there while the rest gets sorted out*

*-the "now" list:*

*-smoke/CO detectors need to be installed in all of the correct locations; the inspector & Al Harris can help you identify the correct locations*

*-keep cleaning the house - making good progress (House Calls can get you a dumpster for free; work with them)*

*-there needs to be 3 ft clearance around the water heater & furnace & electrical panel*

*-stairways & hallways need to be clear*

*-windows need to be accessible to get out in case of emergency*

*-most important, until this is cleared away, occupants must be limited to: Geraldine, her brother John, your 3 grandchildren, your niece, Elana, and her girlfriend, Afton; only those people; this condition cannot be violated or the house must be vacated; your brothers created a dangerous situation for everyone*

*-Erica Minus, House Calls, will do an intake over the phone when this hearing has ended*

*-a dumpster will be delivered to your backyard*

*-Tue Aug 15 at 9 am, Inspector Stephan Suon will do an inspection*

*-Tue Aug 15 at 11:30 am, we will meet here for a progress update*

*-Mai Vang will send out a letter with today's findings that will go to you & everyone in this room*

*-this matter will go to City Council Public Hearing Sep 6, 2017*

*Continued to August 15 at 11:30 a.m. to check on progress. Appellant needs to install proper smoke and carbon monoxide detectors in all locations where required; 2) continue cleaning of the house; 3) make 3 ft clearance around water heater, furnace & electrical panel; 4) make clear paths to stairways and hallways; 5) egress windows need to be accessible.*

**Laid Over to the Legislative Hearings due back on 8/15/2017**