



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, June 5, 2018

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments (VB, B & C)

- 1 [RLH TA 18-300](#) Deleting the Appealed Special Tax Assessment for property at 565 ALDINE STREET. (File No. J1809B, Assessment No. 188110)

Sponsors: Henningson

Dave Schroeder, Sheraton Real Estate Assoc LLC, owner, & Laura Schroeder, Manager, appeared.

Supervisor Joe Yannarely:

Cost: \$275

Service Charge: \$162

Total Assessment: \$437

Gold Card Returned by: DAVID SCHROEDER

Type of Order/Fee: EMERGENCY BOARDING

Nuisance: UNSECURED BUILDING

Date Work Done: 2/27/18

Comments: REQUESTED BY SPFD. FIRE REPORT REQUESTED.

History of Orders on Property:

-St. Paul Fire Dept called for an emergency boarding Feb 27, 2018 at 8 pm; fire report attached; the boarding contractor secured the property

Ms. Schroeder: 42 unit apartment building; we were notified that the police were there; they broke our door-shattered the glass but we have a Knox Box on the bldg with working keys; Laura Huseby was out there just after that & checked if the keys were there; then, they boarded up the door

Mr. Schroeder: my biggest thing is if they're so worried about fire & safety & security, whatever, somebody should have at least cleaned up the glass; they busted up the door & we had glass up & down inside the building; our maintenance guy was on the way but by the time he got there, the door was boarded; they screwed the board into the door to the point where we had 3 companies who came out who would not put glass in that door because they had screwed up the door so badly; the 4th company came out & ground out where all the screws went in & actually got a piece of glass installed in there - it took about 3 1/3 weeks to get done; it was kind of an insult to get this; the Knox Box has been there for years; housing inspection passed; then have somebody

break your door & get a bill for \$400+ to pay for them breaking our door; it would have been \$4500 if they couldn't get the glass in that door, to replace the complete opening -that's why we're appealing this

Ms. Schroeder: we have 3 entrances: main front; street side & far side door near garages; the Knox Box is located by our main door

*Ms. Moermond: there's nothing in the report about the Knox Box
-I'm inclined to delete this; I'd like to see the police report (the fire report says that the police forced the door open)*

Ms. Schroeder: the next day Laura Huseby was out; we were in the middle of our re-inspection; she did say that the Knox Boxes we have still work but suggested that we should think about getting new ones

*Ms. Moermond: some styles of Knox Boxes are being replaced
-I think there was some miscommunication here about getting this bldg secured*

Delete the assessment.

Referred to the City Council due back on 7/18/2018

2 [RLH TA 18-302](#)

Deleting the Appealed Special Tax Assessment for property at 1950 BOHLAND AVENUE. (File No. VB1810, Assessment No. 188815)

Sponsors: Tolbert

Jim Turner, owner & Ian Turner, appeared.

Supervisor Joe Yannarely:

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: JIM TURNER 612-247-6351

Type of Order/Fee: VB FEE

Nuisance: VB FEE

*Assigned To: Dornfeld, Matt 651-266-1902 12/27/2017: * Opening a preliminary VB file per a referral from Code Inspector Martin due to a lack of water service. Unable to confirm if the dwelling is vacant. Property area maintained. Photo attached. I will attempt to call PO and SPRWS. ~MD*

*01/23/2018: *Recheck - At the time of my inspection the dwelling was vacant, secure and maintained.*

~MD 02/14/2018: Change to Cat 1 - Confirmed with SPRWS that water service has been disconnected due to lack of payment since Nov 17, 2017 - changing to VB1 file.

~

*MD 02/27/2018: *Recheck - Snow/ice on sidewalk, snow/ice letter sent. Vacant and secure. ~*

*MD 03/05/2018: *Recheck - It was currently snowing at the time of my inspection, however it did appear that an attempt was made to clear the previous snow/ice from sidewalk.*

*~MD 04/27/2018: *Recheck - At the time of my inspection the dwelling was vacant, secure and maintained.*

~MD Next Schedule Date: 05/25/18

Ian Turner: I previously lived in this bldg

Jim Turner: It's a private home (father & son); the water has been restored
-we try to make sure that the maintenance is done when we're out of town; my son is sometimes slow to get the job done (snow, lawn); he had some financial problems but someone had been living there the entire time

Ms. Moermond: there's nothing in the file about the restoration of water services

Mr. Yannarely: No but I asked Mr. Dornfeld; they had the water service restored & someone is living there

Ms. Moermond: I'm willing to delete this assessment pending confirmation that the water has been restored; & then, Mr. Dornfeld will close the file

Delete the assessment; water has been restored.

Referred to the City Council due back on 7/18/2018

3 [RLH TA 18-303](#)

Ratifying the Appealed Special Tax Assessment for property at 925 COOK AVENUE EAST. (File No. VB1810, Assessment No. 188815) (Public hearing continued to September 19, 2018)

Sponsors: Bostrom

Mark Underdahl, owner, appeared.

Supervisor Joe Yannarely:

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: MARK UNDERDAHL

Type of Order/Fee: VB FEE

Nuisance: VB FEE

Comments: CAT 2 VB FILE OPENED ON 3/17/17. THERE IS NO CC REPORT.

History of Orders on Property: SA Printed: 05/18/2017; SA Printed: 10/04/2017; 01/17/2018 Snow Walk Complaint Received. 03/09/2018 Snow Walk Complaint Received.

Mr. Underdahl: it's been vacant so long because of my health; I don't know city policy for disabled people who own property but for me, it's non existence because the reason my house is in vacancy is because I couldn't get to a meeting with Ms. Shaff, who was going to inspect the house & I had some renters in there who totally flip-flopped on me; each time I go there to try to do something, we'd have an altercation; within minutes, thugs would come & walk behind me; I couldn't do anything & I'm not going to send anybody else down there; so, finally, they got out & I've been trying, as my health allows, to get the house open again; now, I have some proposed renters that I've been waiting for, who are going to take care of it; now, I need to get it rented again

-as Ms. Shaff could tell you, all the houses that I have go above & beyond the status quo in St. Paul; most inspectors that came in would say the same thing

-when the city puts placards on the houses, it gives the neighborhood free reign at those houses; the neighbors have told me that 8 year old girls & boys jump inside & back out again of this house; I've had SPPD go thru there & they don't have time for it when they have people getting killed on the street; and the parents don't do anything; so, I had to put ADT in there in order to stop it

-my problem is that I have complications of Agent Orange since Viet Nam; I have 5 kids (4 daughters & a son); 3 daughters have MS; they are being treated for it; & I have this; I don't know how much more we can go thru

Ms. Moermond: you've had terrible renters who'd chase you away from the property; that behavior makes it all the worse for everybody, you & the neighbors; putting ADT in is really good; it secures the house; but people in the neighborhood know when a house is vacant even when there are no placards on them

-you've been in the VB Program from more than a 1 year now & I don't see that you have a Code Compliance Inspection yet on the property; you need to get that Code Compliance Inspection in order to get out of the VB Program; then, you can move those renters in

-I understand that you have a disability & that it makes this harder but that doesn't change the fact that the bldg needs to become minimally code compliant before it can be re-occupied

-Ms. Vang gave him an application for the Code Compliance Insp

Mr. Underdahl: because of the vandalism, I have to remove all the carpeting & replace 4 windows

Ms. Moermond: you're going to have a smaller list than other people would have because you've been pecking away at some of these things already but we've got to get you thru that process before it can be occupied

-and the VB fee will only continue until you get the code compliance certificate

-there are a lot of contractors who do this kind of work

-where are you at in terms of getting it up to minimum code?

Mr. Underdahl: I'd do it today if I had the funds

Ms. Moermond: talk to someone who can give you advice about the long term best financial solution for you

-keep in mind, that you can't sell the house until you get that inspection; once you apply for the inspection, it will take a couple weeks

-if you can get your code compliance certificet by Sep 17, 2108, I'll cut the VB fee in half & I'll divide it over 5 years; if you don't get it compliant, it will be the whole VB fee divided over 5 years

-you'll need a lock box

Public hearing continued to September 19 and if owner gets his code compliance certificate by September 19, will reduce in half and spread over 5 years.

Referred to the City Council due back on 7/18/2018

4 [RLH TA 18-221](#)

Deleting the Appealed Special Tax Assessment for property at 889 FULLER AVENUE. (File No. VB1810, Assessment No. 188815)

Sponsors: Thao

Delete the assessment. VB fee was waived until March 4, 2018 and owner received Certificate of Code Compliance on April 18, 2018.

Referred to the City Council due back on 7/18/2018

5 [RLH TA 18-218](#)

Ratifying the Appealed Special Tax Assessment for property at 428 MINNESOTA STREET/81 SEVENTH PLACE EAST. (File No. VB1809,

Assessment No. 188812) (Public hearing to be continued to August 1)

Sponsors: Noecker

Public hearing continued to August 1.

Referred to the City Council due back on 6/13/2018

- 6 [RLH TA 18-301](#) Ratifying the Appealed Special Tax Assessment for property at 1504 WHITE BEAR AVENUE. (File No. J1809B, Assessment No. 188110)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 7/18/2018

- 7 [RLH TA 18-249](#) Deleting the Appealed Special Tax Assessment for property at 358 BAKER STREET. (File No. J1810A, Assessment No. 188519)

Sponsors: Noecker

Andrew Heairet, owner, appeared.

Supervisor Joe Yannarely:

Cost: \$160

Service Charge: \$162

Total Assessment: \$322

Gold Card Returned by: ANDREW HEAIRET

Type of Order/Fee: SNOW ORDER

Nuisance: FAILURE TO REMOVE SNOW FROM PUBLIC SIDEWALK

Date of Orders: 2-8-18

Compliance Date: 2-13-18

Re-Check Date: 2-13-18

Date Work Done: 2-16-18

Work Order #: 18-028803

Returned Mail?: NO

Comments:

History of Orders on Property: NO

Mr. Heairet: first time home buyer; purchased shortly before the assessment was issued; closed Feb 6, 2018

Ms. Moermond: will recommend to delete this assessment; notification went to the previous owner

Delete; notice went to previous owner.

Referred to the City Council due back on 6/27/2018

- 8 [RLH TA 18-312](#) Ratifying the Appealed Special Tax Assessment for property at 185 RICHMOND STREET. (File No. VB1810, Assessment No. 188815)

Sponsors: Noecker

Hai Nguyen appeared.

Supervisor Joe Yannarely:
Cost: \$2127
Service Charge: \$157
Total Assessment: \$2284
Gold Card Returned by: Hai Nguyen
Type of Order/Fee: VB fee
Nuisance: unpaid VB fee
Date of Orders:
Work Order #: 16-103584 Inv # 1340040
Returned Mail?: No
Comments: CATEGORY 2 VB OPENED SINCE 12/2/16
History of Orders on Property:
-has code compliance inspection report
-numerous permits open

Mr. Nguyen: I had to redo; it's all getting done; final inspection this week; all that's left is the gutter-have to wait 3 weeks

Ms. Moermond: your VB file was opened Dec 2, 2016, so the bill today is for Dec 2, 2017-Dec 2, 2018 & we're almost 6 months into that billable year
-your public hearing at City Council is Jul 18, 2018; if the code compliance certificate is issued by then, I'll Recommend this gets cut in half

If owner receives code compliance certificate by July 18, will reduce from \$2284 to \$1142.

Referred to the City Council due back on 7/18/2018

9 [RLH TA 18-311](#)

Ratifying the Appealed Special Tax Assessment for property at 316 SUPERIOR STREET. (File No. VB1810, Assessment No. 188815)

Sponsors: Noecker

Calvin Phan Mickel, owner, appeared.

Supervisor Joe Yannarely:
Cost: \$2127
Service Charge: \$157
Total Assessment: \$2284
Gold Card Returned by: Calvin Mickel
Type of Order/Fee: VB Fee
Nuisance: unpaid VB fee
Date of Orders: Registration Notice sent 10/18/17 and Warning Letter sent 2/6/18
Work Order #: 17-205627, Inv # 1336642
Returned Mail?: No
Comments: CATEGORY 1 VB OPENED SINCE 10/17/17
History of Orders on Property:
-has been going back & forth between Cat 1 & Cat 2 VB status
-Mr. Mickel has appealed it a couple times before you; in Nov 2017, it was changed to a Cat 1 & given 90 days to get the C of O re-instated; that did not happen; it was changed back to a Cat 2 on Jan 24, 2018; then, it was changed back to a Cat 1 VB on Feb 13, 2018 per your instructions to allow permits to be pulled
-on Apr 20, 2018, Insp Dornfeld noted that no permits were currently pulled & he had not heard from the property owner

Mai Vang: noted that Council Resolution Dated Feb 14, 2018 said to waive the VB fee for 90 days to get the C of O re-instated; continue it as a Cat 1 VB; no additional waiver on VB fee

Mr. Yannarely: still no permits pulled

Ms. Moermond: Mr. Mickel, what's going on?

Mr. Mickel: I've been doing non-permitted items; got LJ Electric to help me with the bathroom

Ms. Moermond: no permit has been pulled

Mr. Mickel: not yet; last time, you told me to send in my card & come in today.....

Ms. Moermond: presuming that you'd have something to show me that you'd be done with the project

Mr. Mickel: well, I can certainly take pictures; great progress has been made....

Ms. Moermond: here's where I'm at; I've heard you a number of times; we are 7 1/2 months into the billing cycle for this particular fee; I've worked with you really hard so that you could get your C of O re-instated rather than go thru a code compliance inspection; I'm going to recommend approval of the VB fee in its entirety; you had waivers & chances

Approve the assessment.

Referred to the City Council due back on 7/18/2018

10 [RLH TA 18-310](#)

Ratifying the Appealed Special Tax Assessment for property at 417 VAN DYKE STREET. (File No. VB1810, Assessment No. 188815) (Public hearing continued to September 19, 2018)

Sponsors: Prince

Grace Xiong, owner, & Bob Williamson, contractor, appeared.

Supervisor Joe Yannarely:

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: Grace Xiong

Type of Order/Fee: VB Fee

Nuisance: unpaid VB fee

Date of Orders: Registration Notice 9/14/17; Warning Letters sent 12/13/17 and 3/13/18

Work Order #: 17-079187, Inv # 1330295

Returned Mail?: No

Comments: Category VB 1 opened since 9/13/17 - 9/14/17: 90 days fee waiver due to fire; on 12/13/17: 90 days waiver - waiver end date: Mar 13, 2018

History of Orders on Property:

-not yet rehabbed

Ms. Moermond: any permits?

Mr. Yannarely: plumbing permit issued May 16, 2018; electrical permit issued Mar 28, 2018; building permit issued Mar 2, 2018; mechanical permit issued Nov 15, 2017 & finalized

*Ms. Xiong: I don't understand; I'm partially disabled; I don't know what happened but I was at work & while I was out, the lady & her son in the upper level started the fire; my insurance covered it; Mr. Williamson is the first contractor that I had; they know that I have memory loss
-the first Notice that I got I did not understand*

Ms. Moermond: this is a duplex; you lived in one of the units & rented the other one; owned since 2001

Ms. Xiong: I've been living in hotels; now, I live in an apartment -insurance covered; I'm moving back into the duplex at the end of this month

Mr. Williamson: we started working on it Sep 8, 2017; 2 days after the fire occurred, the city fire inspector, verbally released us to start doing work there; we put temp tarp on the roof; got temp electrical; HVAC permit was pulled - to get temp heat; we did nonpermitted work in the lower unit during winter months; lower unit had minimal water/smoke damage; we've literally been working on the property since the fire so, it hasn't been vacant; we've been there working; I don't understand why it got put into the VB Program & Grace didn't understand, either; then, I saw the first notice

Ms. Moermond: that's not a judgment on whether or not you're working on it; it's about the building not being habitable by human beings; so, it's condemn; it's automatic for it to go into the VB Program

Mr. Williamson: Grace will be able to move back into the lower unit in about a month

Ms. Moermond: have you talked to Jim Seeger about doing a partial certificate of compliance, so that she can move into the lower unit

Mr. Williamson: I didn't know that we had to go thru this; normally, the fire inspector releases it - the Certificate of Occupancy - as long as the property's been worked on, they've never pulled that on me; so, we were just going to get the work done & inspect it as we did the work

Ms. Moermond: ultimately, the goal is to get a Certificate of Occupancy from the building official for the building, so you can get back in again

*Mr. Yannarely: usually, when they get the repairs done, they just re-occupy the building but since we're past that 6 month period, it comes to you.....
-You're probably going to need a C of O if you're going to rent that upper unit*

Ms. Moermond: do you have separate permits or all under one?

Mr. Williamson: all under one permit

Ms. Moermond: when do you think you'll have your permits signed off?

Mr. Williamson: she can move in downstairs as soon as we finish the tile in the

bathroom (in a month) but upstairs, I can't get my final on the bldg until all the other subs have gotten their finals - probably 3 months

Mr. Yannarely: they have had no problems here & staff would have extended it if they could

Mr. Williamson: part of the issue is that Grace didn't understand; she was getting papers but....

Mr. Yannarely: and insurance slows things down

Ms. Moermond: you have extenuating circumstances; I'd like to get Jim Seeger out there to sign off on the lower unit; we'll try to get you & Jim connected so that she can move into the lower unit

-with respect to the VB fee, I'd like to cut it in half & divide it over ___ years

Mr. Williamson: the insurance is going to pay for it

Ms. Moermond: recommend approval of half of the assessment

-if you can't get it signed off by Mr. Seeger, we can re-visit how much the fee should be

-I will talk to Mr. Ubl, he can assign a person to look at it

-I'm looking for basic habitability

-Mai Vang will confirm with you by email; we'll have things in writing both to Ms. Xiong & Mr. Williamson

Will reduce from \$2284 to \$1142 if code compliant by 9/13/18. Note, need approval to occupy unit.

Referred to the City Council due back on 7/18/2018

Staff Reports

- 11 [SR 18-73](#) Review Request of Apryl Cave on behalf of Thomas Jirik for the Appealed Special Tax Assessment for Property Adopted by City Council File RLH AR 18-17 on April 18, 2018 at 1825 MECHANIC AVENUE. (File No. VB1807, Assessment No. 188808)

Sponsors: Bostrom

Ms. Moermond: I'm going to recommend approval of the VB fee & that it be divided over 5 years

-I met with the personal representative of the estate of Mr. Thomas Jirik; Margerrie Jirik came in yesterday; that won't be resolved anytime soon; Mr. Thomas Jirik & his wife Margerrie bought 1825 Mechanic on a contract for deed in 1953 & the contract for deed has not been satisfied; I think it's a technicality & they have lawyers working on it & may need to do a Quiet Title action

A new resolution to go to Council to approve the assessment and spread over 5 years.

Received and Filed

- 12 [SR 18-74](#) Review Request of Apryl Cave on behalf of Thomas Jirik for the Appealed Special Tax Assessment for Property Adopted by City Council

File RLH AR 18-18 on April 18, 2018 at 1825 MECHANIC AVENUE.
(File No. J1806B, Assessment No. 188105)

Sponsors: Bostrom

Ms. Moermond: with respect to the boarding fee, I will recommend that it will be Deleted; that was a welfare check on Mr. Thomas Jirik back in Nov 2017 -there's a forthcoming boarding fee where squatters have broken in (we'll talk about that in the future)

A new resolution will go to Council to delete the assessment.

Received and Filed

10:00 a.m. Hearings

Special Tax Assessments (CRT, G, T, V, E, P & A)

- 13 [RLH TA 18-293](#) Ratifying the Appealed Special Tax Assessment for property at 1115 ARGYLE STREET. (File No. J1809E, Assessment No. 188315) (Public hearing continued to October 17, 2018)

Sponsors: Brendmoen

Michael W. Bridgeford, owner, appeared.

Supervisor Paula Seeley:

Cost: \$122

Service Charge: \$35

Total Assessment: \$157

Gold Card Returned by: Shamiere Bridgeford called

Type of Order/Fee: Excessive Inspection

Nuisance: Vehicle

Date of Orders: 01/03/18

Compliance Date: 01/09/18

Re-Check Date: 01/09/18; 1/16/18 (sent EC & gave until Jan 24 to come into compliance); went back 2/12/18 -tabs were updated on the vehicle

Date Work Done: NA

Work Order #: 18-016077, Inv # 1351008

Returned Mail?: No

Comments:

History of Orders on Property: one on 12/4/17 for VAO (abated)

Mr. Bridgeford: entered permit document

-when the first letters were sent, I was in Nebraska until Jan 24, 2018

-explanation: on Jan 16, 2018, I got that 60-day permit & it was displayed in the back window as instructed; I talked to Insp Kedrowski on that day & I asked him, "Because I have tinted windows, should I stick it in that back window or put it on the dashboard?" He said, "Don't worry about it; just stick it in the window," which I did immediately after getting that permit; when I got that permit, I was going to get tabs for the Chrysler (entered a receipt from when he purchased the tabs last year, which must have been stolen off the vehicle because when I wanted to purchase new tabs, they told me that my tabs were current); I didn't know that they had been taken off the

vehicle until I got back; I took time off from work to take care of that & then, I went again on Feb 2, 2018, a couple of weeks later
-Also, I spoke with the inspector about the tabs & the permit & he said it was fine

Ms. Moermond: OK; I'll recommend to Delete this if you have no same/similar violation thru Oct 17, 2018

Public hearing continued to October 17 and if no same or similar, will delete the assessment.

Referred to the City Council due back on 7/18/2018

14 [RLH TA 18-248](#)

Ratifying the Appealed Special Tax Assessment for property at 742 CASE AVENUE. (File No. CRT1807, Assessment No. 188206)

Sponsors: Bostrom

Pheng Lee, owner, & Lekeyen Lee appeared.

Fire Supervisor Leanna Shaff:

Cost: \$857

Service Charge: \$157

Total Assessment: \$1014

Gold Card Returned by: Pheng Lee

Type of Order/Fee: Cert of Occupancy

Nuisance: unpaid C of O

Date of Orders: Appointment letters sent 10/19/16, 10/31/16, 4/25/17, 5/4/17, 5/19/17, 7/7/17; Revocation letters sent 7/20/17 and 9/20/17

Compliance Date:

10/19/16

10/31/16 - no entry (fee)

12/9/16 - 12/12/16 inspection canceled

4/25/17 - GN took over file

5/4/17 - mail undeliverable, sending new letter to updated address

5/19/17 - no show and no answer at door

7/20/17 - no entry

11/1/17 - C of O approved

Work Order #: 12-214659, Inv # 1340270 & 1347333

Returned Mail?: No

Comments:

History of Orders on Property: YES

-as I look at this file, there should be 1 C of O fee of \$237, which includes the inspections on 7-20 & 8-21-17 & the last reinspection fee (\$355 + \$157 = \$512)

Ms. Moermond: Ms. Shaff corrected the record & wants you to have only 1 fee instead of 2

Mr. Pheng Lee: I was skeptical about the invoice; I called the inspector that I had a change of address; I hadn't gotten the letter; I didn't have that PO Box any more; my tenant notified me about an inspector being out there & he wasn't going to let just anyone in; I believe another letter was sent Oct 31 to reschedule on Nov 22 but I never received that letter either

Ms. Moermond: referring to the bill that Mr. Lee is currently looking at, Oct 31 fee of \$237 is what you are being charged; you can cross out the \$72 no entry fee; the same

with the other no entry fee of \$74 (we can't put that onto your taxes); \$118 reinspection fee, you are also being charged (\$237 + \$118 = \$512)

Mr. Pheng Lee: can you explain what the reinspection fee is for - what takes place?

Ms. Shaff: he was out on Jul 20, 2017 & Revoked the property

Mr. Pheng Lee: on Jul 20, how can he inspect my property when there was no one there to allow access?

Ms. Moermond: Jul 20 was a no entry & you can get Revoked for not allowing access

Mr. Pheng Lee: my tenant was there & he said that the inspector walked along the fence & just left

Ms. Moermond: here's the deal; there's been a lot of chances to correct things; & this is as low as it can possibly be (your bill was cut in half right away because you were inadvertently billed for each unit) & because they couldn't collect on the bill that they had sent you, they had to process it as an assessment

Reduce from \$1014 to \$512.

Referred to the City Council due back on 6/13/2018

15 [RLH TA 18-285](#)

Ratifying the Appealed Special Tax Assessment for property at 667 CHARLES AVENUE. (File No. J1806V, Assessment No. 188008)

Sponsors: Thao

Tyrone Appleton, tenant, appeared.

Supervisor Paula Seeley:

Cost: \$420

Service Charge: \$157

Total Assessment: \$577

Gold Card Returned by: Tyrone Appleton, renter

Type of Order/Fee: Vehicle Abatement Order

Nuisance: vehicle with expired tabs and appears inoperable

Date of Orders: 12/5/17

Compliance Date: 12/12/17

Re-Check Date: 12/12/17

Date Work Done:

Work Order #: 17-218692, WO # 8315, December 2017-Buick/Tan/601 PMV

Returned Mail?: No

Comments:

History of Orders on Property: 2 SAs 08/8/17 & 8/15/17 (abated)

*Mr. Appleton: the owner of the property didn't notify me & I didn't get any mail about it; my cars have been there for a whole year; I been fixing on that car - put in a new radiator & all of a sudden, with my neighbors having all their garbage out there, my car must have looked like a junk car; I took that car off the street because of the tabs but I never got any mail; I don't understand why you took my car; the confusion comes from the neighbor, who can't clean up their garbage
-can I get a copy of the VIDEO where the garbage was because think they should pay for all this stuff because the neighbor over there - he has a mess*

Ms. Moermond: I don't have anything with garbage in front of me today; I don't have Video or anything; I just have the vehicle here today; the letters went to Yong Gang Dong/Chang Hua Wang & Yi Zhen Ren; are they the owners?

Mr. Appleton: one guy sold it to another guy; one of them can't speak English; we have to talk to his wife & every time something happens, she will call & I ask, "Well, how come I don't know anything about it?" so, this is a mess

Ms. Moermond: another letter went to the Occupant at 667 Charles

Mr. Appleton: it's a duplex

Ms. Moermond: so, I'm not sure which unit got the letter

Mr. Appleton: my car's been back there for a whole year & never had a problem

Ms. Moermond: and staff is saying the vehicle had expired tabs & it looked inoperable; they wrote a letter to the owner & occupant; they got no response & then, they had the vehicle towed; the owner did not take responsibility to contact you; is the owner going to make you pay this?

Mr. Appleton: this is a big cost for me & my car did run; we just put in a new radiator; I don't understand

Ms. Moermond: the city said that it looked like it didn't work & it didn't have current tabs; no one argued that back then; the city took action to remove it & that costs money; it also cost you money - you don't have that vehicle any more & you were never told; the city did the work; the city should charge the property owner; if the owner wants you to pay, you can argue that you were never told that it needed to be taken care of to begin with so, I think that your complaint needs to be with the owner

Mr. Appleton: I talked to him & told him it was not my fault.

*Ms. Moermond: I'll have Ms. Vang print you a copy of the letter so you can show the owner; it's a private matter between you & your landlord
-I'm sorry; that's not a great position to be in when you weren't given an opportunity to take care of it*

Approve the assessment.

Referred to the City Council due back on 6/13/2018

16 [RLH TA 18-294](#)

Ratifying the Appealed Special Tax Assessment for property at 761 COOK AVENUE EAST. (File No. J1809E, Assessment No. 188315)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 7/18/2018

17 [RLH TA 18-270](#)

Ratifying the Appealed Special Tax Assessment for property at 900 COOK AVENUE EAST. (File No. J1810A, Assessment No. 188519)

Sponsors: Bostrom

Approve; no show. (Owner said he will send in written statement for his appeal; no letter was received)

Referred to the City Council due back on 6/27/2018

18 [RLH TA 18-288](#)

Ratifying the Appealed Special Tax Assessment for property at 1123 DALE STREET NORTH. (File No. J1810A, Assessment No. 188519, Amended to File No. J1810A3, Assessment No. 188554) (Public hearing to be continued to October 17)

Sponsors: Brendmoen

Danielle M. Schintgen, owner, appeared.

Supervisor Paula Seeley:

Cost: \$160

Service Charge: \$162

Total Assessment: \$322

Gold Card Returned by: Danielle Schintgen

Type of Order/Fee: Summary Abatement Order

Nuisance: SnowWalk

Date of Orders: 2/6/18

Compliance Date: 48 hours

Re-Check Date: 2/9/18--only a path shoveled, packed snow & ice on remainder of sidewalk

Date Work Done: 2/13/18

Work Order #: 18-027755

Returned Mail?: No

Comments:

History of Orders on Property: No history in 2017 except this one; one TGW on 8/16/16 (abated)

Ms. Schintgen: I went out & shoveled when I got the letter; it's my first time owning a home; I didn't know the expectations of shoveling; obviously, I didn't do a good enough job & I apologize for that; can I get a break?

VIDEO - shoveled not full width; crew shoveled, salted & sanded

Ms. Moermond: I'm sure that you won't screw this up in the future; the letter says "full width"

Public hearing continued to October 17 and if no same or similar violation(s), will delete.

Referred to the City Council due back on 6/27/2018

19 [RLH TA 18-82](#)

Ratifying the Appealed Special Tax Assessment for property at 572 DESNOYER AVENUE. (File No. CRT1805, Assessment No. 188204; amended to File No. CRT1805A, Assessment No. 188210) (Public hearing continued from March 21)

Sponsors: Henningson

Alana Dixon, tax owner, appeared.

Fire Supervisor Leanna Shaff:

Cost: \$206

Service Charge: \$157

Total Assessment: \$363

Gold Card Returned by: email from Mai Vang

Type of Order/Fee: FC of O, Student Housing SFD

Nuisance: Unpaid FC of O fees

Date of Orders: 08/15/2017

Compliance Date: Approved with corrections 08/15/2017

Billing Dates: 08/17/2017 and 09/18/2017

Returned Mail?: No

Comments: All letters & bills sent to: Alana Dixon 572 Desnoyer St Paul MN 55104.

-LS. NOTE: Real Estate Office sent notification notice to 527 Desnoyer per Ramsey County record. -MXV

History of Orders on Property:

Ms. Dixon: I emailed some documents

Ms. Moermond: it looks like the bill went to 527 Desnoyer instead of 572 Desnoyer

Ms. Dixon: We have all of our mail forwarded; we live in CA & the mail has been forwarded for 6 months; I spoke AJ Neis when I received the bill & we didn't need a Fire C of O at that time because we actually reside there - a single family home; he said the amount was too high; AJ asked us to hold off on paying the bill (the tape is muffled; I didn't understand her)

Ms. Moermond: I'm going to decrease it to \$206

Ms. Dixon: another thing I spoke with Mr. Neis about was the multiple complaints on our property; I have wonderful neighbors who help us; however, 616 Desnoyer has been targeting me & other people of color; we get Notices routinely for high grass when our grass is not high; also for not shoveling even when we're shoveling

Ms. Moermond: this little spot, Desnoyer, Frontenac, Otis, etc - there's an owner who owns 10 duplexes, 7 of which have gone into the VB Program; they went into significant disrepair; they all have back taxes to the point where they might be lost; I think that people who are owner-occupants there are hyper sensitive to rental properties because of the negligence of that one owner & it's very unusual to see 1 person own that many properties plus another 11 vacant parcels; the impact of that owner "checking out" & not dealing with stuff has impacted you; I don't think it's you; it's a sore spot in that neighborhood

Ms. Dixon: I have an unemployment issue & that's why we're in CA; my husband is a stay-at-home dad; he's always home taking care of things; talked about the neighbor at 616 accosting her & one of her _____

Ms. Moermond: a private option to deal with that - the neighborhood cop over there

Ms. Dixon: I've called the civil division; I'm afraid for my son

*Ms. Moermond: Todd Ludwig - 651-266-5427; or Jon Molbe - 651-266-5408
These are police officers who deal with enforcement issues & neighborhood*

relationships, to talk about options like "No Contact Orders" - explain the situation to them; they'll have some general info

Ms. Dixon: is it possible to have of these things deleted? the inspector gets so many calls about my property that are unfounded; I don't want to come back again; we have a contract for deed & our contract says that if we get too many assessments, we could lose our deed; this is to the point of harassment

Ms. Moermond: Insp Martin, could you look at the record & if it's possible to add a note indicating what's unfounded & what's duplicate unfounded - so even if they can't be deleted, it's very straight forward that they are unfounded

Ms. Dixon: I appreciate that

Ms. Moermond: I hope things start to go better

Reduce from \$363 to \$206.

Referred to the City Council due back on 6/27/2018

- 20** [RLH TA 18-291](#) Deleting the Appealed Special Tax Assessment for property at 1104 FARRINGTON STREET. (File No. J1809E, Assessment No. 188315)

Sponsors: Brendmoen

Delete the assessment; excessive consumption letter was not sent.

Referred to the City Council due back on 7/18/2018

- 21** [RLH TA 18-289](#) Ratifying the Appealed Special Tax Assessment for property at 1420 IDAHO AVENUE EAST. (File No. J1809E, Assessment No. 188315)

Sponsors: Bostrom

Rescheduled per owner's request.

Laid Over to the Legislative Hearings due back on 7/10/2018

- 22** [RLH TA 18-296](#) Deleting the Appealed Special Tax Assessment for property at 507 LEXINGTON PKWY NORTH. (File No. J1809E, Assessment No. 188315)

Sponsors: Noecker

Delete the assessment; minimal snow removal.

Referred to the City Council due back on 7/18/2018

- 23** [RLH TA 18-299](#) Deleting the Appealed Special Tax Assessment for property at 1171 MINNEHAHA AVENUE WEST. (File No. J1809E, Assessment No. 188315)

Sponsors: Henningson

Delete the assessment; no photos to support the excessive consumption.

Referred to the City Council due back on 7/18/2018

24 [RLH TA 18-295](#)

Deleting the Appealed Special Tax Assessment for property at 1127 RAYMOND AVENUE. (File No. J1809E, Assessment No. 188315)

Sponsors: Noecker

Lynn Fagerness, personal representative for James Gilbert (deceased) estate, appeared.

Supervisor Paula Seeley:

Cost: \$122

Service Charge: \$35

Total Assessment: \$157

Gold Card Returned by: Lynn Fagerness

Type of Order/Fee: EC

Nuisance: Failure to Remove Abandoned Vehicles

Date of Orders: 12-21-17

Compliance Date: 1-8-18

Re-Check Date: 1-9-18

Date Work Done: NA

Work Order #: 17-218777 # Invoice 1349491

Returned Mail?: No

Comments:

History of Orders on Property: 12-4-17 Vehicle Orders

Ms. Fagerness: it's the tenant's vehicle; she got the vehicle from a friend & is in process of getting the title; is having a hard time with that; when I received the letter, I sent a copy to her; she had just lost her job & panicked; I told her to talk with DSI Inspector Hesse; she sent an email to Mr. Hesse requesting that he inspect on Jan 25; on Jan 24, she sent him an email with pictures of the car having current tabs; he sent her an email back saying the car was good

*Ms. Moermond: can you forward that email to LH
-did the inspector make any notes in the record, Ms. Seeley?*

Ms. Seeley: no

Ms. Moermond: as soon as I get that email, I'll Delete this assessment

Delete if tenant provides the email sent to inspector.

6/29/18: delete as an email was sent by Rhianna Brodin regarding the vehicle in compliance per Dan Hesse.

Referred to the City Council due back on 7/18/2018

25 [RLH TA 18-306](#)

Deleting the Appealed Special Tax Assessment for property at 220 ROBERT STREET SOUTH. (File No. J1810A, Assessment No. 188519)

Sponsors: Noecker

Laid Over to the Legislative Hearings due back on 6/19/2018

- 26 [RLH TA 18-292](#) Ratifying the Appealed Special Tax Assessment for property at 441 SHERBURNE AVENUE. (File No. J1809E, Assessment No. 188315)
- Sponsors: Thao
- Approve; no show.*
- Referred to the City Council due back on 7/18/2018**
- 27 [RLH TA 18-297](#) Deleting the Appealed Special Tax Assessment for property at 1930-1932 UNIVERSITY AVENUE WEST. (File No. J1806P, Assessment No. 188406) (Legislative Hearing on June 5 for deletion)
- Sponsors: Henningson
- Delete; waiver on file.*
- Referred to the City Council due back on 6/6/2018**
- 28 [RLH TA 18-298](#) Deleting the Appealed Special Tax Assessment for property at 1930-1932 UNIVERSITY AVENUE WEST. (File No. J1807P, Assessment No. 188407)
- Sponsors: Henningson
- Delete; waiver on file.*
- Referred to the City Council due back on 7/18/2018**
- 29 [RLH TA 18-308](#) Deleting the Appealed Special Tax Assessment for property at 2022 SAINT ANTHONY AVENUE. (File No. J1809E, Assessment No. 188315)
- Sponsors: Henningson
- Richard Bartusch, owner, appeared.*
- Supervisor Paula Seeley:*
- Cost: \$122*
- Service Charge: \$35*
- Total Assessment: \$157*
- Gold Card Returned by: Richard Bartusch*
- Type of Order/Fee: Vehicle Abatement (not current tabs; appeared inoperable)*
- Nuisance: Failure to maintain vehicle/EC*
- Date of Orders: 12-11-17*
- Compliance Date: 1-3-18*
- Re-Check Date: 1-3-18; next date 1-22-18-in compliance upon re-inspection*
- Work Order #: 17-220505, Inv # 1348783*
- Returned Mail?: No*
- History of Orders on Property: None*
- Mr. Bartusch: I actually went to the DMV 3 different times since then; all I could get was a 60-day permit; I put it in the window of my mobile home; I'm thinking of retiring sometime this year & I plan on doing quite a bit of work on the motor home in order to sell it; right now, you can't get tabs for a full year*

Ms. Seeley: right now, we're not touching vehicles

Ms. Moermond: given good history & DMV issues, will recommend Deletion

Delete the assessment.

Referred to the City Council due back on 7/18/2018

Special Tax Assessments - ROLLS

- 30** [RLH AR 18-41](#) Ratifying the assessments for Boarding and/or Securing services during February 2018. (File No. J1809B, Assessment No. 188110)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 7/18/2018**
- 31** [RLH AR 18-42](#) Ratifying the assessments for Collection of Vacant Building Registration fees billed during March 29, 2017 to February 16, 2018. (File No. VB1810, Assessment No. 188815)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 7/18/2018**
- 32** [RLH AR 18-43](#) Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during December 12, 2017 to January 9, 2018. (File No. CRT1809, Assessment No. 188209)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 7/18/2018**
- 33** [RLH AR 18-44](#) Ratifying the assessments for Trash Hauling services during February 1 to 28, 2018. (File No. J1809G, Assessment No. 188709)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 7/18/2018**
- 34** [RLH AR 18-45](#) Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during December 26, 2017 to January 19, 2018. (File No. J1809E, Assessment No. 188315)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 7/18/2018**
- 35** [RLH AR 18-46](#) Ratifying the assessments for Graffiti Removal services during January 27 to February 24, 2018. (File No. J1807P, Assessment No. 188407)
- Sponsors:** Brendmoen

Referred to the City Council due back on 7/18/2018

11:00 a.m. Hearings

Summary Abatement Orders

- 36 [RLH SAO 18-29](#) Making finding on the appealed nuisance abatement ordered for 894 BEECH STREET in Council File RLH SAO 18-27.

Sponsors: Prince

Nuisance condition is abated.

Referred to the City Council due back on 6/20/2018

- 37 [RLH SAO 18-31](#) Appeal of Derald Theis to a Summary Abatement Order at 1365 MARION STREET.

Sponsors: Brendmoen

Derald R. Theis, tax owner, appeared.

Supervisor Lisa Martin:

-on May 25, 2018, a Summary Abatement Order was issued to Robert L. Evans, 1717 DeSoto St, regarding 1365 Marion St; it also went to Derald Theis, PO Box 17092, St. Paul

-specifically, to Remove a Temporary Shed on the south side of the house; compliance by Jun 1, 2018; I got a call from Mr. Theis after he had filed the appeal; he mentioned that he had a building permit, which he did from 2015 but the work was never approved; I spoke with the building official Steve Ubl, who gave me a copy of the permit & a photo; clearly, it's a temporary structure, which is only good for 180 days (scanned into the record)

Mr. Theis: the only thing protecting my vehicles from vandals & storms is this temporary structure; my neighbor upstairs has had his windows smashed, his fuel line cut, his tires stolen right off his vehicle; I have a "No Trespassing" sign on my carport with a camera on it; they haven't smashed up my vehicles yet; I have photos of it; you can't see it from the street or from the air; you'd have to trespass onto the property in order to even see it; the only one who can see it is the lady who lives right across the street from me because we're on a dead end; I've had a few of her cars towed because they were junk & parked on my property; this is retaliation

-I've never gotten it in writing in any of these plans that there's a time limit of 180 days; never heard of it; now, you say I can't have it; what's going to protect my vehicle? All my vehicles were smashed before I got the car port; he shared photos - past & present -you say that the permit was never approved - I called the guy & he said, "Yea, yea, yea; it's good enough; I got bigger fish to fry; it's good enough;" now, I'm getting this; I gave him about 20 phones calls & I called this other guy, Virgil & somebody else - they won't return my calls

-they were looking at the landfill across the street; it's a dumping site plus they have stolen vehicles across the street; I called SPPD & had their stolen vehicles hauled away from being parked in front of my house; they were blocking my sidewalk; I can't get my gabage/recycling picked up; 1364 Marion, they have a chop shop going on -scanned the specs for the carport/garage; it's reinforced with 10" spikes into the

concrete; I don't see any purpose in tearing this down; it's the only thing protecting my vehicle

Ms. Moermond: Mr. Ubl said that the 2015 permit was never finalized & it was really issued in error because it's a temp structure
-the code says that a temp structure can be present for 180 days; I will give you 6 months from the date the Order was written to find an alternative way to deal your situation
-the problem with the tent is that it's not constructed for this many years; it is subject to wind problems - it can lift up

Mr. Theis: not this one

Ms. Moermond: I don't know that; all I can look at are those specs & the fact that it's labeled "temporary;" & I can look at what the building official says
-Inspector Lisa Martin is now aware of this criminal activity at 1364 Marion - an illegal business

Ms. Martin: Inspector Westenhofer is investigating 1364 Marion; there's an open file

Mr. Theis: it's a business called Dead End Customs

Ms. Moermond: OK

Grant 6 months to remove the carport.

Referred to the City Council due back on 6/27/2018

Correction Orders

38 RLH CO 18-19 Appeal of Donald and Barbara Orr to a Correction Notice at 1765 MARYLAND AVENUE EAST.

Sponsors: Bostrom

Donald & Barbara Orr, owners (visually disabled couple) & Lauren Lightner, The House Calls Program, Ramsey County, appeared.

Inspector Stephan Suon: Correction Notice - our office received a complaint on May 2, 2018 from the Fire Dept about gross-unsanitary conditions at this property; I initially inspected the property on May 22 & sent out the Orders; they filed an appeal & as you requested, I went out there on Jun 4, yesterday, & uploaded the photos I took at that time; some progress was made

Ms. Lightner: the photos I supplied from Baring Enterprises taken before & after on Sat

Ms. Moermond: looks to me like a lot of sanitation work has been taken care of; some issues yet: a box on a set of stairs, which is a problem; there's still a pile of laundry in the basement that needs to be dealt with but we've moved beyond gross/unsanitary conditions; corrections are underway; Ms. Lightner has had House Calls interact; Mr. Suon gave a deadline of May 30, 2018, which has come & gone but work is on-going to get these things addressed
-what's the plan? Have you gotten the Orders in a format that you can understand

them?

Ms. Orr: would be nice to get them in Braille

Ms. Moermond: we'll see what we can do on that

Ms. Lightner: we've gone through the Orders & talked verbally & made a plan; we've appealed to get some more time; a number of things require contractors (electrical, bathroom -materials are deteriorating)
-the couple has already applied & given all of their information to the St. Paul Home Loan Fund last Fri; they qualify as low income; they are legally blind & would like to get that assistance; they have also agreed to hire someone to help them on a monthly basis to keep up with their sanitation issues

Ms. Moermond: Mr. Suon, are there any critical issues here that need to be dealt with soon?

Mr. Suon: the freezer is plugged into an extension cord, which is a fire hazard - it needs to be plugged into a wall outlet

Ms. Lightner: Safe Haven will be coming out on Mon, Jun 11 to address the smoke/CO detectors; they'll have a Waste Mgmt dumpster to help get rid of additional items in the home

Ms. Moermond: dryer venting - I'm seeing a flexible tube; that needs to be changed; that dryer can't be used until that has been addressed (it's an electric dryer; then, not as critical)

Ms. Lightner: a rehab advisor from The Home Loan Fund will walk thru to see what items may be an emergency or otherwise; the home needs some electrical updates; they want to be safe in their home

Ms. Moermond: Mr. Suon, please write an updated set of Orders; I think that Robert Humphrey, DSI, can get it translated into Braille

-I consider the dryer situation an emergency; get the freezer plugged into a wall; technically, it's not an emergency; but it is a hazard; smoke/CO detectors are an emergency

-on Jun 20, 2018, I'll ask City Council to send it back to LH on Jul 10, 2018

-on Jul 10, I'll be looking for a work plan to finish the items; I'm hesitant to put a deadline on it until we know about the money situation; don't use the dryer

-the loan is pending for a lot of deferred maintenance

Grant two weeks to come into compliance with the freezer and dryer. To be referred back to July 10 Legislative hearing at which owners will provide a work plan to complete the items on the revised Correction Notice which will be sent by Inspector Suon.

Referred to City Council due back on 6/20/2018

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

39 [RLH VO 18-19](#)

Appeal of Lavonne Louismet Deyo to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 132 WESTERN AVENUE SOUTH.
(To be referred to Legislative Hearing July 17)

Sponsors: Noecker

Laura Jelinek, Attorney and Mr. Al Harris, Southern Minnesota Regional Legal Services (SMRLS) also appeared.

Fire Supervisor Leanna Shaff: Inspector Klein was at the property yesterday; Mr. Al Harris accompanied him; there were 6 items that were supposed to be addressed: 1) extermination - documentation was provided that an exterminator was hired & treatments are on-going; 2) CO/smoke alarms to be in place & working property - taken care of; 3) repair front steps - taken care of; 4) remove the dryer or correct the venting under permit - there is a new dryer (from what I understand, there was a bit of misunderstanding about the venting requirement & I believe Mr. Harris addressed that but I'm not sure they understood; 5) put covers on electrical outlets - Done; and 6) progress on probate hearing - addressed

Ms. Moermond: getting started on probate proceedings is huge

*Ms. Jelinek: I have a letter (entered) confirming that Ms. Deyo met with the volunteer attorney from our office who does probate; Mr. David Schultz, Hamline University is representing her in the probate proceedings; they signed a Representation Agreement on the 15th; he is in the process of determining who is line for the property; Ms. Deyo is not the only child of Norma Louismet (owner) so he's trying to figure out if the other children are also heirs to the property
-other thing: House Calls is now involved; Ms. Deyo is applying for SNAP (there was a shortage of food in the home) & MN Choices' Assessment is being done to determine if she's eligible for other services, like house keeping, etc; as you know from the last hearing, she has a pretty severe mobility impairment; that's why she's not here today; she can't walk; her legs are very swollen
-as of right now, I think Lavonne Deyo is the responsible party & she is getting the services in place to be responsible; that might change when probate proceedings unfold but right now, we're going forward with her being the person responsible for getting it up to code*

Ms. Moermond: there's a number of corrections that need to happen, some of which need contractors; what's the plan?

Ms. Jelinek: I wasn't sure if any of those had been addressed; is it possible to get an updated list?

Mr. Harris: I think they've been addressed because the place looks really great; I think House Calls has been involved

Ms. Moermond: to get an updated list, we'd need an inspector do a walk thru

Ms. Shaff: Inspector Klein was there yesterday; he didn't abate any other issues but what I'm seeing are things like a fixture that needs something; some woodwork in the bathroom; some stair work; a door; garage; window glass; door latch; etc - maybe work for a handyman in an afternoon

Mr. Harris: they have a handyman who's been doing the work

Ms. Jelinek: Ms. Deyo is on SS Disability; she gets a check once a month & there's not much to budget; I think this month she budgeted for the stairs; next month will be the dryer - right now, the dryer is not connected; it's supposed to be removed today; there will be a new dryer installed - a contractor will pull a permit

Ms. Moermond: so, Mr. Klein didn't update the Orders yet?

Ms. Shaff: It looks like some are but....

Ms. Moermond: could he generate a fresh list based on his observations?

Ms. Shaff: I'm sure he can

Ms. Moermond: once you guys get that fresh list of Orders, put together a plan with a timeline & get it to me by Jun 19 LH (I can attach that to the record)

-I would like an update on probate progress at the Jun 19 LH; we'll need to figure out how we're going to monitor that over the long term

-they owe 4 years worth of back taxes, which would need to be brought current in order for the title to be transferred to whomever owns the property according to the probate process; they'll need a broker as well as an attorney involved

-if there's equity there, use it to find an alternative housing solution

Layover to June 19. Need an update on the probate process and provide a work plan to address the items.

Laid Over to the Legislative Hearings due back on 6/19/2018

40 [RLH VO 18-23](#)

Appeal of Brock & Grace Featherstone to a Fire Inspection Correction Notice and Order to Vacate at 1131 LINCOLN AVENUE.

Sponsors: Noecker

Brock & Grace Featherstone, owners, appeared.

Fire Supervisor Leanna Shaff: complaint came in about an illegal triplex; a 3rd unit had been listed for rent; Inspector Mike Cassidy went out there in Sep 2017 & issued initial Orders; inspected on Sep 20, Oct 9 & then it was transferred to the Fire Certificate of Occupancy on May 25, 2018

-Oct 16, 2017 insp notes: property owner is working with Paul DuBruiel in PED to obtain legal nonconforming use

-Dec 28, 2017 insp sent 19 letters out at Christmas & received 6 back

-Mar 12, 2018 insp talked to Paul; he had not heard back from Brock; told Brock to get in touch with him & update; lease is up May 1, 2018, not to rent out until this is resolved

-my understanding in talking with Supervisor Neis is that this property is a duplex zoned RT1 & it can't be a triplex; they've been given time to work with PED

Ms. Featherstone: it was our understanding that it was a triplex; we were working with Paul to obtain legality by applying for legal nonconforming use; when we talked to Paul, the 3rd unit was added in 1980

Mr. Featherstone: that's the reason that we bought it; when we saw legal nonconforming, we were under the understanding that the city had basically said that it was allowed to be a triplex; so we did our due diligence & went to the county, which says 2/3 unit dwelling; also there were 3 renters at time that we looked at it; there were

3 mail boxes

Ms. Moermond: were you advised by a realtor in your purchasing process?

Ms. Featherstone: they said that it was a legal nonconforming triplex

Ms. Moermond: did they explain what that meant?

Mr. Featherstone: no; they didnt & we were under the understanding that as far as the city is concerned, it can be used as 3 units

Ms. Moermond: so, from the beginning, you were under a misconception about what that meant

Ms. Shaff: even back in 2004 under rental registration, it was 2 units; it's first Fire C of O inspection in 2008, it was 2 units

Ms. Moermond: while the zoning machine works, this unit needs to be emptied; your lease finishes at the end of Jun, so you'd like to have an extension to that date & that works for me

-I can recommend that the Council give you an extension to Jul 1, 2018 to continue to have it occupied; I can't touch the zoning stuff; all I can deal with is the deadline

Mr. Featherstone: where do we go from here? in 1980, a 3rd unit was allowed & that was the reason we bought the building; how do we move forward?

Ms. Moermond: you are moving forward by working on the zoning piece; you need private legal advice for other things; it must be used as a duplex until you get the matter resolved

-will grant an extension to Jul 9, 2018

Grant to July 9, 2018 to have the 3rd (illegal) unit vacated.

Referred to the City Council due back on 6/27/2018

41 [RLH VO 18-22](#)

Appeal of Lori Ann Jacobson to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 995 REANEY AVENUE. (Legislative Hearing on June 26)

Sponsors: Prince

Lori Ann Jacobson, occupant, appeared.

Supervisor Leanna Shaff: Revocation of Fire Certificate of Occupancy issued by Fire Inspector James Thomas; there are 5 items on the list, one of which is done: dog license; this inspection process has been going on for quite some time; first insp Dec 22, 2017; there were no entries on Jan 8 & 18, 2018; he wrote correction Orders on Jan 30, 2018 & Mar 2, 2018

-on May 7, 2018 he Revoked the Fire C of O for long term noncompliance

-property owner, Roy Carlson, lives next door at 987 Reaney

Ms. Jacobson: I was told that I could extend this because 15 days is just not enough time (difficult to understand the Appellant; recording is muffled)

Ms. Shaff: in Amanda, is says that owner lives in a single family building on a different

lot next door to this building

*Ms. Jacobson: yes, he does; the lower unit is vacant; occupants were evicted
-I'm here because I need a lot more time for this work & I was also informed by my
landlord that these things had been addressed & certain permits had to be pulled*

Ms. Moermond: asked staff what permits might be pulled mechanically

Mai Vang: none

Ms. Moermond: how would you bill this right now?

Ms. Shaff: initial fee is \$242; no entry fee is \$74; another reinspection fee.....

*Ms. Moermond: so, right now, the bill is \$595 & the longer he doesn't get things done,
the higher the bill will be; if he doesn't allow access to the entire building, there'd be
another no entry fee*

Ms. Jacobson: I know there were problems with the tenants downstairs

*Ms. Moermond: I'm not clear on how long it will take him to get this done; it's putting
your housing as risk; what's your plan?*

*Ms. Jacobson: that's why I'm here; I've been assured that all these things will be
addressed*

*Ms. Shaff: all of this was supposed to be done on May 21, 2018; the only reason we're
not moving forward is because the appeal was filed May 18, 2018*

Ms. Jacobson: I did those things that I could do right away

*Ms. Moermond: what I'd like to do is to set it up so that there's some interim sections
for which he could be billed as an incentive to get him into compliance; I can't believe
that he'd want to go without the rent, too*

*Ms. Jacobson: I know that they are downstairs right now making preparations for
another tenant; so, I can't believe that he's not taking this seriously*

*Ms. Moermond: you might want to look at the MN Attorney General's website; they
have a Landlord-Tenant Handbook about the law; you may find information on how to
get these repairs done; take a look; check our your options
-I'd rather you have an opportunity to address these things through private means
rather than forcing you to vacate at this time*

*Ms. Jacobson: Mr. Carlson is an older man; maybe he doesn't comprehend that
there's some urgency here*

*Ms. Moermond: we do need to force the issue to get these things taken care of; I will
ask the Council to send it back to me
-City Council Public Hearing Jun 27, 2018; back here at LH on Jun 26, 2018 for a
follow-up report; maybe the inspector can check
-at City Council, I'd like to show them the plan to finish the work; I'm not going to say
that you need to be out on this deadline; I will hold off on that decision & I would give
you at least 2 months, if it all goes too far south*

-I will probably be asking Council to send it back into LH or to give you a lengthy extension

-we'll have Insp Thomas contact Bonfe's & say, "We understand you did the work without permits"

Follow up report on June 26 Legislative Hearing for plans to address the remaining items.

Referred to the City Council due back on 6/27/2018

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 42 [RLH FCO 18-69](#) Appeal of Patrick Hogan to a Correction Notice-Complaint Inspection at 1142 MARION STREET.

Sponsors: Brendmoen

Patrick M. Hogan, Responsible Party, appeared.

*Fire Supervisor A.J. Neis: Fire Certificate of Occupancy Correction Notice dated May 1, 2018 issued by Fire Inspector Efrayn Franquiz; a complaint came in regarding the possibility of over-occupancy of the upper unit; that complaint was unfounded; however, Mr. Franquiz noticed several code violations with the building
-there is no contest that the work has to be done; he is asking for more time
-biggest concern I have is the chimney; looking at the pictures, mortar is missing, etc;
& the metal chimney is braced by a rope - looks like it's leaning (?)*

Mr. Hogan: Mr. Franquiz seemed to think that the metal chimney was not the proper installation; look at the flashing; that's how it's always been

Mr. Neis: I'd be willing to take a look at it myself; it appears that perhaps the wind shifted it or the photo is at a peculiar angle; I'm not as concerned about that chimney as I am about the brick chimney

Ms. Moermond: have you had a chance to talk with some chimney professionals about the situation?

Mr. Hogan: yes, I did; the last time we met, the plan was that I was going to get some bids from contractors to repair/replace the brick chimney; most of the recommendations I'm getting are for replacement; I'm getting a start date from the beginning of Jul with completion by end of Jul or Aug 1, 2018, assuming that I establish a contractor soon & move forward

Ms. Moermond: we talked about applying for money thru the city's Rental Rehab Program; is that something that you'd be willing to do?

Mr. Hogan: I think it is; we talked again today & they said that it's about a 2-3 week process from the time that I submit the application

Ms. Moermond: OK; so, I'll send this back to City Council on Jun 20, 2018 with the recommendation that you be given until Sep 1, 2018 to come into compliance with all the items; give me a call if that doesn't work out

-item #7 is simple; will give you a 2 week deadline (Jun 19)

Grant to September 1, 2018 except for Item 7 which is granted to June 19.

Referred to the City Council due back on 6/20/2018

43 [RLH FCO 18-85](#) Appeal of Gabriel Mba to a Correction Notice - Re-Inspection Complaint at 1020 BANDANA BOULEVARD WEST.

Sponsors: Henningson

Gabriel Mba, Minnesota Cameroon Community, owner, appeared.

Fire Supervisor A.J. Neis: Deadline set by Fire Insp Imbertson to complete the work is Jul 2, 2018; that is being appealed today

-there's a note requesting that someone from HPC be present at the hearing today

Ms. Moermond: HPC staff say that they have no concerns with repair work at this property

-I know that you're working with the congregation to come up with the money to do this work; where are you at with that?

Mr. Mba: (very difficult to understand) - first of all, we're unable to find contractors; they are too busy; then, the inspector asked us to stop the work - because we were only able to work on weekends & Jul 1, 2018 - ?

Mr. Neis: Inspector's notes from May 15 inspection: some progress - less than a quarter done; further, some of the work being done is not done in a professional manner, does not match existing trim

-note on May 22: minor additional progress; no response from HPC

Ms. Moermond: when do you think your folks can get the repairs/painting done?

Mr. Mba: we are doing repairs & painting on weekends so, in the fall (?)

Ms. Moermond: I'm willing to extend your deadline to Oct 1, 2018; if you're not done by then, Supervisor Neis will do a re-inspection for which you will get charged (Mr. Neis: \$ -I don't think that you should lose your Certificate of Occupancy for the bldg because of these repairs, which are necessary & need to be done

Mr. Mba: I will do my best to make sure the work will be ready....

Ms. Moermond: I won't look at another extension & would support additional enforcement action if not done; so, get those people lined up; I'll give you to Oct 1, 2018 & please be done

Grant to October 1, 2018 for compliance.

Referred to the City Council due back on 7/11/2018

44 [RLH FCO 18-77](#) Appeal of Trudy Green Ellsworth to a Correction Notice - Complaint Inspection at 788 CHARLES AVENUE.

Sponsors: Thao

Stephen G. & Trudie G. Ellsworth, owners, appeared.

Fire Supervisor A.J. Neis: Fire Certificate of Occupancy Correction Notice issued by Fire Insp Maicee Hervang regarding a complaint on the garage that needs repair; it's been appealed for additional time; the garage was vandalized & the Appellant is going through some challenging issues right now

Mr. Ellsworth: the garage door needs to be replaced; some boards need to be replaced; then scraping & painting

Ms. Moermond: this season yet?

Ms. Ellsworth: absolutely

Mr. Ellsworth: I contacted 1 garage door company but I don't have a bid but I'm sure that they can do it this summer - by Aug 1, maybe

Ms. Moermond: I will recommend an extension to Sep 1, 2018

Grant to September 1, 2018 for compliance.

Referred to the City Council due back on 7/11/2018

45 [RLH FCO 18-76](#) Appeal of Pearl Sandick to a Correction Notice-Complaint Inspection at 451 HATCH AVENUE.

Sponsors: Brendmoen

Anthony Smith, Attorney, appeared representing Pearl E. Sandick, owner.

Fire Supervisor A.J. Neis: based on a complaint, Fire Certificate of Occupancy Correction Notice - approved with Corrections by Fire Inspector Justin Elvestad, who transferred it to Maicee Hervang
-issue: to provide or repair & maintain the window screen (SPLC 34.09 (4), 34.33 (3) -in 2016 city Legislative Code had changed from "all openable windows are required to have screens" - the Property Maintenance Code was revised in 2016, which no longer discussed being mandatory to have window screens on all openable windows but they had to be maintained to which they were built under permit

Ms. Moermond: so, if the window was built to have screens, it needs to continue to have screens

Mr. Neis: correct; or if it's capable of having screens, they need to be maintained
-I spoke with the City Attorney & I fully agree with Ms. Sandick's assessment on some of the windows but not on all of the windows; basically, the windows original to the house from which the screens have been taken out & not put back, I don't have an issue; according to the new Legislative Code, they are not required to be there; however, there are some newer windows that obviously had screens (2nd floor) & those windows need to have window screens
-it is mentioned in the Orders that some window screens are being stored in the basement; if we can verify that, they will need to be put back on
-we are enforcing from a property maintenance standpoint
-Ms. Sandick is correct in that there are no broken windows

Ms. Moermond: the Order right now reads, "throughout" (the area that needs to be dealt with)

Mr. Neis: when I drove by the property, I didn't modify the Orders yet because of the Appeals Process; when I & Mr. Smith make a site visit, I can be more specific
-I would advise Ms. Sandick to consult with her insurance company in regards to the screens being in place

Ms. Moermond: the simplest solution: go to ACE Hardware; measure what you need & purchase a screen; then install it; approx. \$40 per screen

Mr. Smith: Ms. Sandick lives in Utah, so she can't easily get back & forth to St. Paul; the house have been a rental for \$10 years; at one point, she considered letting it go into foreclosure but she didn't do that; consistently, throughout the C of O process, the house has always passed; she's flabbergasted as to why after 10 years of renting the property, this is the first time the screens have been called
-the issue I have here is not about liability; it's about enforcement of Legislative Ordinance; clearly, 2 years ago, the ordinance did say if you have a window, it has to have a screen; it was changed & it no longer says that; all it says now is "all screens shall be maintained in a professional state of maintenance & repair"

Ms. Moermond: Lawrence B Sax is the reason that Chap 34 was modified; so, the city cannot ask you to do something that is in addition to what was in place at the time of construction or installation; so, either the house was built with windows that had screens in them or the windows that were put in and the replacements had screens in them
-the building code requires that it has to be maintained in a professional state of repair as installed

Mr. Smith: but if we're talking about removable screens - that whole idea of removable screens is that they are not fixed

Ms. Moermond: yes; they can be washed

Mr. Smith: or they can be removed

Ms. Moermond: if you want to go further with this, that's great or you may just want to get screens from ACE Hardware or wherever & have them installed for the few windows on the 2nd story of the house that need them

Mr. Smith: I have to be able to go back to Ms. Sandick & explain why, when the statute doesn't say that you have to have screens in your windows anywhere in the code.... she's been asking for that for 4 weeks & she hasn't gotten a real good response; so, I just want to know are we relying on some specific part of the code because it's not included in "professional state of repair" (?)

Mr. Neis: is does say, "under permit;" is there a reason why your client doesn't want to do this? is it just to challenge the ordinance? he cited provision of the Building Code Chap 34.09 (3) Section 4, (d) (e) "All windows shall be maintained in accordance with the Building Code in effect at the time of construction or as altered/modified under an approved building permit"

Mr. Smith: the problem is that it's the code we have; not the code we want; Ms. Sandick wants clarity because she has a history of passing inspection on this property

Ms. Moermond: I will Lay this Over for 1 week & I will ask our building official, Steve

Ubl, to write a statement for me concerning this appeal; I feel confident that Chap 34 covers this situation; however, I think that your client deserves to have clarification

Mr. Smith: in fairness, I understand that the city's position is that it's about a bunch of \$40 screens, fine; to Ms. Sandick it's about having some certainty that every year she doesn't have to fly back from Utah to deal with this; she just wants to know what she has to do; I'm looking for a specific provision that Mr. Ubl can cite that says, "Windows with screens - you have to keep screens in ..."

Mr. Neis: pointed out that this was inspected in 2013 by Fire Inspector Perrier; he approved it with no code violations

Mr. Smith: I understand that the building has central air

Ms. Moermond: there's a photo of a window air conditioner in a 2nd floor window

Ms. Moermond: things do change from year to year & there's no guarantee; I will Lay this Over for 1 week; I will email you

Forthcoming.

Laid Over to the Legislative Hearings due back on 6/12/2018

46 [RLH FCO 18-74](#)

Appeal of Delerine L. Schaeppi to a Fire Inspection Correction Notice at 1710 HUBBARD AVENUE.

Sponsors: Henningson

Delerine L. Schaeppi, Carmen Perales & 3 children, Occupants, appeared.

Fire Supervisor A.J. Neis: Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Laura Huseby; initial inspection identified 8 violations -being appealed is the Order of having too much stuff in the house; photos in file; it's a heavy content home which is a fire hazard; it's a single family home housing 5 people & a cat

Ms. Moermond: the "big deal" is the stuff, obviously; you wanted to show me pictures & you wanted to go through the list

Ms. Schaeppi: re #2-in basement - repair/maintain window locks. There was never an eyelet for the hook to go into the cement block (picture); there's no hole; there was never a hole - just a hook into the wood frame; we've been there since 2002; this was never cited before; there are screens -re #3 smoke detector in basement. It's hard-wired to the house; the one in the attic is also hard-wired; they are connected & they work

Ms. Moermond: if they are more than 10 years old, they need to be replaced

Mr. Neis: and, the owner is responsible for the installation & maintenance of smoke alarms

Ms. Schaeppi: #4 - repair/replace duplex convenience outlet. There's one above the sink in the kitchen - the ground isn't working; another one on the wall within 3 feet of the basin (video) is working

Mr. Neis: code says that if something is present, it needs to work; again, that's the owner's responsibility

Ms. Schaeppi: that may be the owner's responsibility but.... they replaced an outlet plate in the attic & charged us \$15 for one little plate... we're being cited for all these things in order to live there & we have to pay for them & that's just wrong

Mr. Neis: is that something that you had broken?

*Ms. Schaeppi: no; and the attic is just for storage; oak trees hang over the house so, squirrels drop onto the roof; mice come in the winter; the new owner has rodent control coming out at 9:30 am; our cat killed 2 mice; I don't want them to lay poison all over the house; we have small children & a cat
-the inspector said that we have to remove a fire pit that we don't use (dig up the big embedded rocks); & it's not listed on here
-we have pictures of sleeping rooms that are decluttered*

Ms. Moermond: it sounds like the landlord is asking you to hire an electrician to deal with some of this

Ms. Schaeppi: she didn't say anything

Ms. Perales: our belongings & our family's deceased belongings that we've acquired over the last couple of years are filling the house; we can't use the garage for storage because it smells strongly like mold

Mr. Neis: looking at the record, this property since 2005 has had over 20 code enforcement complaints (vehicles improperly parked, graffiti, unshoveled sidewalks, Jeep inoperable, food in front yard, raw chicken carcasses on the blvd, loud music coming from house, overflowing garbage on blvd, discarded furniture, litter in front yard, etc.)

Ms. Schaeppi: we didn't have graffiti

*Ms. Moermond: so, it sounds to me that you have potential issues with your new landlord; she shows up on the day of inspection; things were OK with your old landlord for a long time; now, there's change; with respect with the stuff you have in the house, I'm sorry that you had some family members pass recently; that's very hard emotionally & super hard that you have to clean out their houses & deal with their possessions; that's how a lot of hoarding begins; I don't think that you're a hoarder; I think that you haven't had a chance to sort through it all & make decisions on those belongings
-you need to get the volume of belongings down by 50% & minor repairs need to be done
-there's The House Calls Program that specialized in helping people in your circumstance - housing crisis; in a way because you have so much stuff; they can get you a "free" dumpster so that you can start making some decisions about getting rid of stuff*

Ms. Schaeppi: asked for a 2-month extension of time to get everything done

*Ms. Moermond: I want you to take seriously getting rid of 50% of the stuff; be ruthless
-minor repairs need to get done; check out exterminators on line to find safer methods
-go online & check out MN Attorney General - landlord - tenant information*

Grant to August 11, 2018 for compliance.

Referred to the City Council due back on 7/11/2018

- 47 [RLH FCO 18-80](#) Appeal of Lei Jiang/Li Ding to a Fire Inspection Correction Notice at 341 STINSON STREET.

Sponsors: Thao

Lei Jiang and Li Ding, owners, appeared.

Fire Supervisor A.J. Neis: Fire Certificate of Occupancy Correction Notice issued by Fire Inspector Efrayn Franquiz

-1 item is being appealed - the driveway; it has 3 different types of surfaces (asphalt, concrete, class 5)

*Mr. Jiang: 2 years ago, the sidewalk & retaining wall needed repair; so, I put in new; now, he suggested that I come here because it's hard for me to pay for all of this; first of all, it's not a driveway; it's a parking area in the back; actually, I put down some class 5 two years ago & it passed inspection; there's a very small area of concrete; the rest of the area is covered by class 5 gravel; it serves the purpose very well for parking; we never have any water puddles; it's dry & level (photos)
-if I have to do asphalt/concrete, it'll cost me another \$6000-\$7000; but if it has to be covered, I'll do it; if it's OK with class 5, that's what I'd like to do*

Mr. Neis: it's not the worst parking surface

Mr. Jiang: I have pictures of my neighbor's - they have class 5 too; the dead end alley is paved

-3-4 vehicles usually park there; there's room for 4 vehicles

-I will do all of the interior items; some exterior items need more time

Ms. Moermond: setting aside #3 - parking area, I'll change your deadline from Jun 18 to Aug 1, 2018;

-although the parking surface is still in pretty good condition, you can't have class 5 & you'll need to deal with Zoning on that parking surface; give Zoning a diagram of your property; ask if you can have parking across the full width of the back; so, you'll have to make a choice of something other than class 5; I'll grant 12 months to do the parking surface

Grant a year to come into Zoning compliance; grant to Aug 1, 2018 for rest of items.

Referred to the City Council due back on 7/11/2018

2:30 p.m. Hearings

Vacant Building Registrations

- 48 [RLH VBR 18-30](#) Appeal of Phonsavanh Phithaksounthone to a Vacant Building Registration Notice at 1520 ALBEMARLE STREET and 1522 ALBEMARLE STREET. (APPEAL WITHDRAWN)

Sponsors: Brendmoen

Appeal withdrawn by Appellant.

Withdrawn

- 49 [RLH VBR 18-28](#) Appeal of Ryan Kempenich to a Vacant Building Registration Notice at 1464 MINNEHAHA AVENUE WEST.

Sponsors: Henningson

Ryan Kempenich, owner, appeared.

(Recording is muffled; especially, Appellant's testimony.)

Fire Supervisor A.J. Neis: was previously appealed needing more time; I inspected with Fire Insp Laura Huseby around May 7, 2018; the work had not been completed by the deadline; some work was done; the outside-nice; inside not done; one of the conditions was for the kitchen on the 2nd floor to be removed; the other condition was to no longer have it be a rooming/boarding house; after the appeal last time, he admitted to me that he continued to operate it as a rooming/boarding house

Mr. Kempenich: I have more than 4 roommates; workers allowed squatters; I had to replace all the windows; it's been a nightmare; my electrician is Harris Electric Company; they just raised my mast 20 feet in the air but you guys won't even let it go; then I went to DSI to pull permits & they declined

Mr. Neis: the work was not done as set by this office; he had disobeyed to Order to discontinue operating as a rooming/boarding house; the kitchen that was required to be removed was not removed & he knew what the laws were; this is the 2nd time he was told not to do this; when he was here with his mother, he said that he was willing to comply but based on the evidence & what he has said now, it is evident that he is not willing to comply

-the house is not in compliance & he has not complied with the Orders to convert it back to a single family home; therefore, we recommend that it be a Category 2 VB

Ms. Moermond: what the record shows is that you were informed by Karen Zacho, DSI, that it could only be used as a single family dwelling; originally, you were planning to move there with your wife & kids on the main floor; your brother & his wife & kids were going to live on the 2nd floor; you continued to use it as a rooming house & got called for too many people living there.....

Mr. Kempenich: entered the plans for converting to a duplex

Ms. Moermond: I'm not the person who can say that this can be a duplex; you can talk to Zoning; are you trying to convert this to a duplex, officially?

Mr. Kempenich: Zoning said that the house is too big & the yard is too small

Ms. Moermond: but that's an appealable decision

Mr. Neis: that was discussed at the last hearing; he could apply to the Board of Zoning Appeals

Ms. Moermond: the catalyst back in Nov was to be done by May 1, 2018; one of the things on the list was that we still had an active kitchen where we shouldn't have had it;

what were other key observations in that inspection, Mr. Neis?

Mr. Neis: the kitchen on the main floor was under rehab - was not ready; the 2nd floor actually looked pretty nice where the kitchen, etc, was; but again, this was at one point, a triplex, then, an illegal duplex; we have to make sure that this gets done right so it's not as easy to break back into an illegal rooming house as soon as we leave

Mr. Kempenich: can it be a rooming house?

Ms. Moermond: you would need to deal with that separately; right now, you have these blueprints; there are 2 ways to find out what you need to do to make this a legal duplex, physically with the bldg; then, you also have the zoning piece of it; Zoning says what you can put on a piece of land (Ms. Zacho); talk to Yaya Diatta, DSI, 651/266-9881 to appeal a decision by Ms. Zacho in order to convert it to a duplex; & you want to argue what you have been saying, "This is an extremely large house on a parcel that's too small;" also, don't be afraid to hire someone to help you work on this -the 2nd piece, your blueprints are plans for a duplex; presumably, they were drawn up by an architect, who knows how to make sure that it's legally set up (making sure there are separate furnaces, separate venting; 1-hr fire separations, etc.); if Zoning says you can do it, you will have to have safe, code compliant plans for a duplex; the other way is to have a Code Compliance Inspection conducted by the city's trades inspectors

Mr. Neis: since we did not do a full inspection on the house, is there a kitchen on the 3rd floor?

Mr. Kempenich: no

Ms. Moermond: I want to give you a chance; it's empty now or are you living there?

Mr. Kempenich: I'm living there; my kids are there sometimes; I have a buddy who's helping me; it'll be the biggest, prettiest house in the whole neighborhood

Mr. Neis: this referral came in by the Fire Dept & we Condemned it by the violations that were identified (illegal rooming/boarding house & not complying with Zoning, Chap 34)

-my concern: how are we going to be assured that over-occupancy, etc, won't become a problem again (meth heads, squatters, etc.); it's always somebody else's problem; there needs to be some accountability

Ms. Moermond: I want you to either make it a duplex or get rid of the 2nd kitchen completely; the problem I have is that we have repeated violation of the same issue; a BZA decision will take 4-6 weeks
-I'm going to Lay this Matter Over for 6 weeks

Matt Dornfeld, Vacant Building Program: he has an outstanding VB fee

Ms. Moermond: I want to give you an honest shot to get squared away, zoning wise; enforcement is stayed while under appeal; I will recommend waiving the VB fee for 60-days thru this process & allow permits to be pulled; it will still be a Cat 2 VB

Mr. Neis: from being in the house, I don't have a life-safety/habitability concern if he were to continue occupying the house during this process (him, his children, immediate family)

Ms. Moermond: if you aren't going to get a pass from the BZA, the next thing is that I want that kitchen completely out of there; I want gas line capped; I want appliances gone; I want cabinetry gone - all of it; 6 weeks to sort it out

Matt Dornfeld: when your electricians call DSI, tell them to tell the admin assistant to read the notes in the file that the Legislative Hearing Officer approved the permits (make sure you mention that)

Owner can remove placard and remain on the property; waive the VB fee for 60 days and allow permits to be pulled. On 7/17/18, case will be reviewed to establish deadline consistent with Zoning status.

Laid Over to the Legislative Hearings due back on 7/17/2018

50 [RLH VBR 18-29](#)

Appeal of Amber Halenbeck to a Vacant Building Registration Notice at 1076 WESTERN AVENUE NORTH.

Sponsors: Brendmoen

Amber Halenbeck, owner, appeared.

Fire Supervisor A.J. Neis: Fire Certificate of Occupancy Revocation/Order to Vacate; Insp Franquiz had trouble gaining access into the building; no one would show up for the inspections; the C of O process started in Jan 2018; reinspections in Feb, Mar, Apr; no work had been done; when he went out there the last time on May 4, 2018, he determined that it was vacant & he couldn't get in contact with anyone; there were multiple outstanding violations but no life-safety issues as far as he knew; I advised him to make it a Category 2 Vacant Building and send it over to the VB Program -of the 10 violations, one of them is not allowing access inside the building; the only interior violation is that the water heater has flexible pipes that are corroded -exterior violations: broken fence, back screen door, guardrail is loose, soffits have holes, peeling paint, window frames & screens, etc.

Matt Dornfeld, Vacant Building Program: we opened a Cat 2 VB because of Supervisor Neis' report & SPPD got a homeless person out of the garage on May 9, 2018 & had it secured; no other issues

Ms. Halenbeck: I own the house & have a property management company handling it for us; they were working with the fire inspector & we approved all of the repairs that the fire inspector had requested; from our understanding, there were some exterior repairs that couldn't happen until the snow was gone; we did all of the repairs that we thought were necessary

-unrelated, during the course of the inspection process, our tenants gave notice that they would be leaving at the end of Apr, 2018 & so we decided that we wanted to try to sell the house

-I don't think that our property management company, North Point Asset Management, did a good job of communicating with the fire inspector; I found out later that they weren't doing what they were supposed to be doing; so, we did what was required on the inside; some of the exterior items were still there when the tenants had given their notice so we asked the property manager to ____ with the inspection process, given that we wanted to sell it; & somehow it was declared that we were refusing to complete the repairs, which was a misunderstanding between the property manage & the fire inspector

-we've done most of the exterior work ourselves now; we live in Duluth so we can't

supervise it ourselves

-we'd like to have the VB status cleared; we want to sell it; I don't know if we're still required to have a C of O

-right now, we have no renters & we don't have it listed

Ms. Moermond: it's a hot real estate market - in your favor

-I don't want this to languish for a long time; I want you to get this listed

-I will recommend that it be a Cat 1 VB (turn-key)

-I'm hearing that the interior is in decent shape & the exterior is by & large cosmetic - needs a face lift but not in danger; get a Truth in Sale of Housing Inspector & a realtor

Ms. Halenbeck: most of exterior is completed; what remains is scraping & painting the trim & fascia

Ms. I will recommend that the VB fee be waived for 90 days; if it's not sold at that time, it will come thru as an assessment, which is also appealable & I am willing to prorate the assessment

Waive VB fee for 90 days and change to Category 1.

Referred to the City Council due back on 7/11/2018