



# 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*

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Tuesday, July 31, 2018

9:00 AM

Room 330 City Hall & Court House

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#### 9:00 a.m. Hearings

##### Remove/Repair Orders

- 1 [RLH RR 18-28](#) Ordering the rehabilitation or razing and removal of the structures at 1332 DAYTON AVENUE within fifteen (15) days after the August 15, 2018, City Council Public Hearing. (Amend to remove or repair within 180 days)

Sponsors: Thao

*No one appeared.*

*Steve Magner, Code Enforcement Supervisor: received an email from Mark Ronea asking this to be laid over to Aug 14, 2018*

*-during further investigation, we found out that Red Dirt Lending was the mortgage company; they foreclosed & sold the Sheriff's Certificate to Hendrie Grant; he bought the Sheriff's Certificate (he bought the paperwork from Red Dirt Lending; now, Hendrie Grant is the owner; we would require Mr. Grant to rehab the structure or we would need to see some type of contractor agreement (with Mr. Ronea)*

*Ms. Moermond: we have 2 issues in place: 1) we heard from Mr. Ronea that Hendrie Grant is actually Bistro Properties; and 2) how is Beneficial Investments connected? (code compliance report was requested & issued to Beneficial Investments)*

*-this was properly Noticed but I will grant the request for the Lay Over*

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*Same conditions outlined in the July 17 letter:*

*1. A \$5,000 performance deposit will need to be posted with DSI at 375 Jackson St, Ste 220, St Paul MN 55102 – please note that the deposit will be returned with interest when the code compliance certificate is issued within the grant of time from the City Council – which is proposed to be 180 days;*

*2. A revised detailed work plan or sworn construction statement which includes timelines for completing the work required in the code compliance inspection report will need to be provided;*

*3. Documentation of financing sufficient to execute the above work plan will need to*

be demonstrated (line of credit, construction loan, personal bank account). The City estimates the cost to repair to be \$75,000. Your bids indicate the cost will be approximately \$115,000.

4. If the funds being used are not tied to the project (such as a construction loan), we require an affidavit that states the necessary funds will be set aside from other business or personal accounts. Also, please clarify if the Esso account funds will be used for this project or another source. We will need updated account information in both cases.

5. If owner wants to sell the property to the person or organization rehabilitating the property, the agreement between these parties must be approved by the City. This contract must stipulate that the purchaser will be undertaking the rehabilitation of the property while the property is still owned by current owner/lien holder, in order to be in compliance with City Codes pertaining to the transfer of nuisance/dangerous properties; and

6. the property must be maintained.

Rescheduled to August 14, 2018 with a Public Hearing on August 15, 2018.

**Referred to the City Council due back on 8/15/2018**

**2**      [RLH RR 18-31](#)

Ordering the razing and removal of the structures at 737 ORANGE AVENUE EAST within fifteen (15) days after the September 5, 2018 City Council public hearing.

**Sponsors:**      Bostrom

*Melissa Porter, Attorney, Shapiro & Zielke, appeared o/b/o JP Morgan Chase Bank.*

*Steve Magner, Code Enforcement Manager:*

*-The building is a one-story wood frame single-family dwelling with a detached two-stall garage on a lot of 4,792 square feet. According to our files, it has been a vacant building since March 17, 2015.*

*-The current property owner is JP Morgan Chase Bank per AMANDA and Ramsey County Property records.*

*-On April 19, 2018, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on May 3, 2018 with a compliance date of June 2, 2018. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*

*-Taxation has placed an estimated market value of \$12,100 on the land and \$77,900 on the building.*

*-Real estate taxes are current.*

*-The Vacant Building registration fees were paid by check on March 15, 2018.*

*-As of July 30, 2018, a Code Compliance Inspection has not been done. (applied for yesterday)*

*-As of July 30, 2018, the \$5,000 performance deposit has not been posted.*

*-There have been fifteen (15) SUMMARY ABATEMENT NOTICES since 2015.*

*-There have been seventeen (17) WORK ORDERS issued for:*

- Garbage/rubbish*
- Boarding/securing*
- Grass/weeds*
- Snow/ice*

-Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish exceeds \$15,000.

Ms. Moermond: photos - what is this odd structure? looks half connected to the house

Mr. Magner: some sort of makeshift shed in the backyard; we would require that to be removed; most recent WO was on May 16, 2018 - garbage done by Parks; we did a couple of boardings in Apr; snow walk in Mar; boarding in Feb; boarding in Nov; garbage/rubbish in Oct; pretty consistent over time; not a lot of TGW

Ms. Moermond: what is Chase interested in doing with this property?

Ms. Porter: as of late yesterday afternoon, they have a contractor who has now done a few things: smoke detectors; chimney issues; I have some photos that were sent to me; I don't have the tracking info; they indicated that they tried to send over an application & a deposit to the city & couldn't provide me with the tracking info; they've tried to put some things in place to try to take care of this property; I've just been retained, so I have limited info; they do have a contractor

Ms. Moermond: without the Code Compliance Inspection Report -- I'm concerned about what that report says

Ms. Porter: this is an FHA/HUD backed loan; so, HUD has it's foot in the property as well - they will have an interest in the property

Ms. Moermond: what does that mean?

Ms. Porter: Chase has not yet conveyed the property to HUD; HUD guarantees properties; Chase' intention has been to convey/transfer this property to HUD but before that can happen, servicers/lenders have to take certain steps; late last night, they told me that they were nearing the point of having this property ready to convey to HUD

Ms. Moermond: once HUD takes control (city doesn't regulate the federal government); so this is going to sit in the neighborhood for a long time until HUD decides to take action; & your owner, basically, has allowed it to be broken into on at least 3 occasions in the last 6 months; snow hasn't been shoveled; rubbish/garbage in yard; so, Chase has been a very irresponsible owner passing it on to somebody who's not going to take action & will not disclose to the purchaser that it's actually a nuisance & dangerous structure; so, I hope you're not going to ask for time for the City Council to make a decision on this

Ms. Porter: they've merely asked me to appeal today to see what your decision is

Ms. Moermond: understand where I'm coming from; it is not in the city's interest to see this property continue to languish & be a problem for its neighbors

Ms. Porter: they did mention that they knew that the code compliance inspection needed to take place

Ms. Moermond: which would have been mentioned in the first Vacant Building Registration Notice that was sent in Mar 2015; so, they've know that for 3 years; I'm glad that they finally decided to order it yesterday

*Mr. Magner: the application isn't recorded yet; usually, with some of these last minute cases on a Category 3 VB, they would flag that to Reid Soley & they would tell me; maybe it's on somebody's desk waiting to be checked*

*Ms. Porter: given that I was just retained, & given that they had told me that they did process the application, would you give a short amount of time for me to at least find that tracking info & communicate with Steve or with somebody in their office to .....*

*Ms. Moermond: I'm going to assume that your client did submit the application; I'll put in a call to the building official & ask for it to be expedited  
-your client can have contractors go thru & develop a preliminary Work Plan that can be revised once they get the Code Compliance Insp Report  
-this goes in front of Council on Sep 5 - almost 6 weeks  
-everything should be in good shape on Aug 28 LH  
-if the following conditions are met & other things don't arise in the interim that we need to discuss, I would recommend that you get time to do the rehab  
-if you transfer the property to HUD, let me know immediately because they sell buildings that are cited for demolition without disclosing to the purchaser that is the condition of the building & that is what is facing them; then, I see someone in here, who's in tears because they bought a property at auction that they thought, "What a deal;" & they got snukkered by their own federal government*

*Continued to August 28, 2018 for the following conditions to be met if owner wants to rehabilitate the building:*

- 1. A \$5,000 performance deposit will need to be posted with DSI at 375 Jackson St, Ste 220, St Paul MN 55102 – please note that the deposit will be returned with interest when the code compliance certificate is issued within the grant of time from the City Council – which is proposed to be 180 days;*
- 2. A detailed work plan or sworn construction statement which includes timelines for completing the work required in the code compliance inspection report will need to be provided, including subcontractor bids (if owner has not received the code compliance inspection report by August 28, owner must provide a preliminary work plan/construction statement, which will need to be modified);*
- 3. Documentation of financing sufficient to execute the above work plan will need to be demonstrated (line of credit, construction loan, personal bank account). The City currently estimates the cost to repair to exceed \$50,000;*
- 4. If the funds being used are not tied to the project (such as a construction loan), we require an affidavit that states the necessary funds will be set aside from other business or personal accounts; and*
- 5. the property must be maintained.*

**Laid Over to the Legislative Hearings due back on 8/28/2018**

**3**      [RLH RR 18-33](#)

Ordering the rehabilitation or razing and removal of the structures at 1757 SHERIDAN AVENUE within fifteen (15) days after the September 5, 2018, City Council public hearing.

**Sponsors:**      Tolbert

*No one appeared in Legislative Hearing; recommends removal or razing the building within 15 with days with no option for repair.*

*Steve Magner, Code Enforcement Manager presented the following report:*

*The building is a one-story, wood frame and stucco, single-family dwelling with a detached one-stall garage on a lot of 5,227 square feet. According to our files, it has been a vacant building since August 5, 2015.*

*The current property owner is Peter and Tracy Bohmbach per AMANDA and Ramsey County Property records.*

*On May 3, 2018 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on May 9, 2018 with a compliance date of June 8, 2018. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*

*Taxation has placed an estimated market value of \$31,800 on the land and \$96,200 on the building. Real estate taxes are current.*

*The Vacant Building registration fees were paid by assessment on October 1, 2017.*

*As of July 30, 2018, a Code Compliance Inspection has not been done.*

*As of July 30, 2018, the \$5,000 performance deposit has not been posted.*

*There have been nine (9) SUMMARY ABATEMENT NOTICES since 2015. There have been seven (7) WORK ORDERS issued for: garbage/rubbish, grass/weeds and snow/ice.*

*Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish exceeds \$20,000.*

*As no one was present to object to the order, Ms. Moermond will recommend the property be removed within 15 days no option for repair.*

**Referred to the City Council due back on 8/1/2018**

**4**      [RLH RR 18-32](#)

Ordering the rehabilitation or razing and removal of the structures at 522-524 OTIS AVENUE within fifteen (15) days after the September 5, 2018 City Council public hearing.

**Sponsors:**            Henningson

*Jay Olson, owner, and Jeffrey Chermak, contractor, appeared.*

*Ms. Moermond: there are other people who are here to testify; will add that information to the record*

*-noted that several emails have been added to the record*

*Steve Magner, Code Enforcement Manager:*

*-The building is a one-story wood frame and stucco duplex on a lot of 8,276 square feet. According to our files, it has been a vacant building since September 19, 2017.*

*-The current property owner is Arnold A. Olson Trustee/Shirley A. Olson Trustee per*

AMANDA and Ramsey County Property records.

-On April 26, 2018 an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An ORDER TO ABATE A NUISANCE BUILDING was posted on May 3, 2018 with a compliance date of June 2, 2018. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

-Taxation has placed an estimated market value of \$131,600 on the land and \$140,700 on the building.

-Real estate taxes for 2016 and 2017 are delinquent in the amount of \$13,814.82, which includes penalties and interest. Taxes for the first half of 2018 have not been paid.

-The Vacant Building registration fees were paid by assessment on October 31, 2018.

-As of July 30, 2018, a Code Compliance Inspection has not been done (application filled out yesterday)

-As of July 30, 2018, the \$5,000 performance deposit has not been posted.

-There have been eleven (11) SUMMARY ABATEMENT NOTICES since 2017.

-There have been eight (8) WORK ORDERS issued for:

- Garbage/rubbish
- Grass/weeds
- Snow/ice

-Code Enforcement Officers estimate the cost to repair this structure exceeds \$50,000. The estimated cost to demolish exceeds \$20,000.

Ms. Moermond: Mr. Olson, what are your plans for this property?

Mr. Olson: the same as we did with 521-523 Desnoyer; plan to rehabilitate it, put a new roof on it; have the code compliance inspection done; bring it up to code & sell it to Jeff - have him be the contractor

Ms. Moermond: there's a mortgage agreement between you two gentlemen about the property on Desnoyer & the deal is that you (Jeff) fix Desnoyer & Desnoyer becomes yours & you also get this property on Otis as a kicker because you have collateral on it, is that it?

Mr. Chermak: I don't have the contract with me but the property on Otis was used as security for the loan that was made for the rehab of 521-523 Desnoyer, in case it went south; so, there's no contract or purchase or anything regarding 522-524 other than using it as security for the loan for the rehab

Ms. Moermond: would you need to use a similar kind of a tool for doing this rehab?

Mr. Chermak: I think we would use the same contract template, so, yes; we would have to use another property as security to do another loan - mortgage arrangement to do the work on 522-524 Otis

Mr. Magner: with your project at 521-523 Desnoyer, it appears that your warm air is finalized; mechanical is finalized; plumbing is finalized; electrical is finalized; another plumbing permit is finalized & your bldg is finalized; has Jim Seeger done the walk thru?

Mr. Chermak: he did the walk thru on Fri

Mr. Magner: so, Seeger is hours from issuing your Code Compliance Certificate unless there's some other outstanding issue?

*Mr. Chermak: that was my understanding*

*Mr. Magner: it appears to me that 521-523 Desnoyer is basically done within the time frame that Council approved; now there's a track record; so, if they were to move forward with a similar agreement, from a staff point of view, I would see no reason not to recommend the same 180 day grant of time*

*Ms. Moermond: I'm curious as to why the Code Compliance Inspection wasn't applied for sooner than yesterday (?)*

*Mr. Olson: that's my fault; I was trying to get someone to do the roofing & that didn't happen; we want to continue to fix it up & do the same thing; there will not be as much work needed for Otis as there was for Desnoyer*

*Ms. Moermond: when we talked last time, you had hopes of using the money from the sale of the property to Mr. Chermak for the repairs on the other properties that you own in the neighborhood; & it looked like you were going to clear \$140,000-\$150,000; is that a plan that's been workable for you?*

*Mr. Olson: yes; it's coming up to be workable; I have some other stuff coming in & I've been working with Jeff & another contractor*

*Ms. Moermond: I pause when I think that you're having trouble coming up with the \$600+ to do the code compliance inspection for this property; today, I'll only focus on Otis - but that's just an observation about financing of this -what is the other property in Mr. Olson's portfolio that you would want to use as security in this loan agreement?*

*Mr. Chermak: we're thinking about using 515-517 Desnoyer, the property immediately adjacent to 521-522*

*Ms. Moermond: I'm looking for the same things as I did with the previous property: Work Plans, money--we've been thru this before; we also have a neighborhood that's come out & wants to speak - more generally, about your entire portfolio than this particular case, I think.*

*-observation on my part - this seems to be a very piecemeal approach to your portfolio of properties & the problems that you're experiencing with them; have you had a chance to talk with a real estate attorney, a broker, - somebody who could represent your own interest as you look at the entirety of your situation because I can't give you that kind of advise; you need a person with your interest in mind; you have a lot of properties; I think you need a person on your team looking at this situation in its totality*

*Neighbors' Testimony*

*Tracy Young, 526 Otis, read her statement:*

*We're here today to ask the city to take immediate action on the property in question. Our home is next door. This is a property that has given us grief for years, going on decades. It's not the renters; it's the property. We ask that the city move on this property immediately for 3 reasons: 1) most problematic is the landlord Jan Olson, who clearly lacks the skills to care for his property. He sends his manager, Jake, who does little more than occasionally ride a lawn tractor around while the eaves rot, the gutters collapse, the animals enter the property through well known holes. The front walk is icy all winter until one of us neighbors shovels it or we complain to the city &*

they come out & do it. We have had to make countless reports to the city's complaint dept. about lack of basic maintenance on this particular property and Mr. Olson fails to demonstrate any managerial skills. Instead, he deflects issues to his front man; he refuses to return phone calls and really only responds when authorities are called. Mr. Olson appears to lack the resources to take care of his property. He clearly doesn't have time to take care of it, as we understand, he's employed full time as a Deputy Fire Chief in St. Anthony Village. His son told us nearly 10 years ago that he was trying to convince his dad to sell the property because they just couldn't keep up with it. We have offered to buy it but he wouldn't sell. Given the band aid approach to repairs that we witness on his property, for example, the blue tarp on the roof for the past 3 years, it's clear that Mr. Olson doesn't have the money to properly up keep of his rental units. According to the Ramsey County website, which is updated daily, unpaid taxes for this property, as you said before, Mr. Magner, are nearly \$14,000 with the total for all his Desnoyer properties in the \$200,000 range (taxes in arrears). We know very well that Mr. Olson was in the same predicament less than 6 months ago with the other property on Desnoyer and had to cobble together a last minute plan with Mr. Chermak to avoid demolition and this was for a property he claimed he actually cared about. The fact that he hasn't maintained the property at 522-524 Otis Ave for years is really mind boggling, given the potential for him to bring money in from renters. The whole money question here makes absolutely no sense to us. Finally, we believe Mr. Olson simply doesn't care about what goes on with his properties here in Desnoyer Park. He lives in an expensive secluded home in Forest Lake. He's respected as a civil servant for the St. Anthony Village Fire Dept and the property he's responsible for over in our neighborhood is simply out of sight, out of mind. If he cared, a family with babies wouldn't have been forced out by black mold in the basement and squirrels coming in through the holes in the roof. If he cared, we'd know it in countless ways; instead, we know in countless ways that he doesn't care. The pattern of neglect we've witnessed has resulted in 5 of his properties being Condemned in our neighborhood in the past year. We do appreciate the opportunity to present our concerns here to this body and we trust the decision that you make today, knowing that holding Mr. Olson's feet to the fire through this process is the only way to get him to pay attention to take care of his property. We believe that unless Mr. Olson, today, provides a detailed plan of action with evidence of funding and other professionals doing the work of bringing the property to code, the pattern and culture of neglect will continue and the structure should be taken down. Thank you.

Bill Young:

The concerns that we have concerning the Olson properties go back decades and 2 words come to mind as far as the city, us property owners and anyone, who has been in a position to do something about this situation: 1) enable; and 2) collusion. What Olson has or hasn't done has been known by neighbors for a number of years. Some ask, "Well, Bill, if you don't like it here, why don't you just move?" My wife & I decided (she has a year to go before she retires) that we're going to stay right here in Desnoyer Park. We don't think that we're going to do any better moving any place else. Mr. Olson's lack of maintaining this property hasn't been the only thing; he has had some problem tenants in there for which complaints have been made to the city (noise, trash) & I've had to speak to Olson directly to let him know that if he has problem tenants, it is his responsibility to evict them. Whenever I've talked to Mr. Olson, it goes in one ear - picks up speed & goes out the other.

I really got mad at my wife one day when I observed her over at the 522-24 Otis property, picking up trash, loading it in trash cans & dragging those trash cans out to the curb for the city to come & pick that rubbish up. This is Olson's responsibility. The plan that Olson & Chermak have in mind with the properties, one at a time when the city comes up with their ultimatums & deadlines - come in at the last minute to do



what they have to do - it's gonna take even more years, a decade or two and we shouldn't have to put up with this while he lives the good life out in Forest Lake. Olson is an Assistant Fire Chief out of St. Anthony Village and I've also read that he's an inspector for the fire dept out in St. Anthony Village. If you could look at the properties that he owns in Desnoyer Park, it's not even a joke. What's going on with the Olson properties in Desnoyer Park would not be taking place in Highland Park. It wouldn't take place on Summit Ave or St. Anthony Village or out in Forest Lake. I don't feel as if we have to accept it in Desnoyer Park.

Ms. Moermond: comments - the request for immediate action; you understand that we have due process of law in motion & this isn't scheduled for public hearing in front of the City Council until the beginning of Sep and that's our meaning of immediate -what did you mean when you mentioned the word "collusion?"

Mr. Young: I think that Olson has been in violation of the law for some period of time; he is in arrears in back taxes for 2 or 3 years

Ms. Moermond: I want to be clear on this - if those taxes are not paid for this property or the other properties, they go to the county; if we have \$100,000 vacant parcel being forfeited to the county for non payment of taxes for a period of 3 years, the county can auction it & they're going to get close to \$100,000 for the lack of several thousand dollars of past taxes, which puts the public sector \$95,000 ahead; so, applying the word collusion to that doesn't fit; it's almost the opposite; it's like writing a check to the public sector; non payment of taxes isn't necessarily connected to the denigration of the property and so, I don't think that word applies in this circumstance -It's important for Mr. Olson to hear my message about approaching this as a coherent package; all that the city can do is work on 1 property at a time; I understand that DSI has responded to a lot of activity out there - complaints about the occupied / vacant bldgs and some of those duplexes have been converted from the Fire C of O Program to the Vacant Building Program; she also explained how the Council is involved with the county's Repurchase Program

Ms. Young: if Mr. Olson is having trouble coming up with the small amount of money for a code compliance inspection or to get the roof done, how can we believe the rehab is actually going to happen?

Ms. Moermond: the Desnoyer property we talked about at the last hearing did end up getting rehabbed & is close to getting its Certificate of Code Compliance; & if they are applying the same type of model to doing this one on Otis, then it's not going to be Mr. Olson's checkbook, per se; it's going to be Mr. Chermak's checkbook

Connie Supple, 616 Desnoyer:

-I have a list of things that are wrong with 612 Desnoyer Ave, another one of Mr. Olson's properties; this is a history of what issues have been going on with this property

-collusion: when we go down to DSI, they will not give us the info; it's been closed off to us; all this is public info; we want to know when the next inspection is for 610 & 612; they won't tell us; he doesn't show up for the inspections; he gets 3 "no shows" before they shut him down; Mr. Olson is collecting from the St. Paul Housing Authority off the voucher system & most of these properties the people are in.....

Ms. Moermond: how do you know that?

Ms. Supple: because we know people who live in it - it's a voucher system; they

*volunteered that info; the county brings them in; the county brings them out; most of them are women with kids that have come from rehab or jail*

*Ms. Moermond: that info is protected under MN Data Privacy Laws & so if it was shared with you by somebody who lives there, fine*

*Ms. Supple: every one of his properties is being paid for off a voucher system from the taxpayers*

*Ms. Moermond: I understand that several of them are Registered VB & that 2 others have already transferred in ownership to other people*

*Ms. Supple: 604 Desnoyer was supposed to be evicted May 2017 & people are still living there; I have the paper work from DSI*

*Ms. Moermond: that's not an eviction; DSI can issue a Revocation of the Fire C of O for long term noncompliance or a Condemnation based on lack of basic facilities; what you're saying is that there's been long term noncompliance & the Certificate's been Revoked*

*Mr. Magner: the last info I have is that there was a scheduled inspection for Jul 25 for 610-612; Mr. Neis had been requested to go out there by the Deputy Director; I don't know what happened*

*Ms. Moermond: Ms. Supple, bring it home to this property, 522-524 Otis*

*Ms. Supple: I would imagine that the Otis property has double the paperwork of 604 Desnoyer*

*Ms. Moermond: we are looking at Otis with the strongest tool that the city can bring to bear, which is an Order to Abate a Nuisance Building, which could result in its demolition; we don't have any bigger tool in our tool kit*

*Ms. Supple: if all the info at DSI is public; then any of us should have access to it; last week when we went down there, the person who inspected that property, Laura Huseby, told us that she can't give us any info; we had to either call Mr. Magner or 2 other managers*

*Ms. Moermond: as far as I know, every single shred of paper in DSI is public info; I know that every sentence that I have is attached to a public record; but I'm not in the Dept of Safety & Inspections; I work for the City Council*

*Mr. Magner: normally, the person would simply call the inspector & they would give the info; I don't know what the issue is with this particular situation; I would recommend that she communicate directly with Travis Bistodeau, Deputy Director, because I have been advised that he has gathered this info & that he is communicating with the parties involved; an email was sent out Jul 27, 2018 to Tracy Young (may be other parties who were emailed) but Mr. Cervantes, Director, DSI, did address quite a few concerns in that email (attached to our record) Mr. Magner read that email*

*Ms. Supple: actually, Mr. Cervantes called us 2 weeks ago*

*Anton Jachim, 506 Otis: I live opposite of 521-523 Desnoyer; I'm the lot behind 521-523 Otis; we appreciate the work done by DSI & your office in moving this process*

forward; we understand that to the city, this is in some sense, kind of a newer problem than it is for the neighborhood; we lived with these problems for a long time; we appreciate the work of Mr. Chermak on 521-523 Desnoyer; he's been working diligently; it's a major improvement; continuing the process of rehabbing 521-523 Otis through Mr. Olson & Mr. Chermak's arrangement, it's taking quite a long time; the neighborhood's been dealing with these problem properties for over 15 years that I've been there; so, while Mr. Olson is entitled to due process, I don't believe that he's entitled to unlimited time for that process & I would like to respectfully request that the remaining properties be brought forward in a single hearing

Ms. Moermond: let me assure you that the properties will tax forfeit in no time; my calculations are that Mr. Chermak & Olson have had 4 months to work on 521-523 Desnoyer thus far & they are complete; they were given a grant of 6 months time, which is the standard length of time

Mr. Jachim: the city process with Otis started in Sep 2017 & there hasn't been any work done; so, if we follow that pattern, it's going to be quite a long time before we get thru all of these properties, so while he's entitled to due process, I don't see the need to perform all these things separately; they should be brought forward as a group, in my opinion, & I'd appreciate that consideration, if possible

Joyce Perron, 518 Otis: I live on the other side of this property; I moved here in 2000 & there was a lot of trash in the backyard; a new tenant was moving in; I made a complaint of the yard & the garage and it was shortly after that the garage was knocked down because it was unsafe; shortly after that, I saw Jay Olson's father & his wife & I said (in early 2000), "I would feel better if you would clean up your yard;" and he said, "Oh, you don't know anything about it; I built this house & I built your house;" I told him that I appreciated the good workmanship but I would really like it if he'd clean up his property & get rid of that rubble, which used to be the garage; he said, "Well, people are all throwing their rubbish there;" then he said, "\_\_\_ has some Hmong people move in here & they have chickens & I'll see how you like it;" I mean, that's what we're dealing with; so, I have made complaint after complaint & they come out & do the minimal amount of work that's required; and for 2 years or more, a big earth mover was parked in the back yard of this house; I complained about that; My husband & I like to sit on our 3-season porch, which overlooks the backyard; so, eventually, we built a fence so I don't have to look at it; and because of my own family's health problems & my problems, I have not been able to continually make complaints; you get worn down; I have no problem with renters; they are very friendly people & I've been friends with them but they move out because they cannot accept the fact that repairs are not made in a timely manner; the last people put up with bed bugs twice; they had small children; the bed bugs were brought in by the other tenants, who visited someone else & came back with the bed bugs; they moved out & it's been vacant since; there are periods when it's vacant for 3 or more years; it's falling into further disrepair; there's also trees, growing almost right out of the foundation; they're black locusts, which are invasive & have to be killed with Round-Up; I'm glad that there's action being taken on it

Richard Houey, 518 Otis: I married Joyce 10 years ago this week & when I moved in, at that point, it was obvious that the house next door at 522-524 Otis was really bad shape; it has simply deteriorated since; brought some recent pictures (Mai scanning) & explained them (black locust; eaves)

Ms. Moermond: I'm looking at something that's overgrown & in disrepair (photos)

*Mr. Houey, 518 Otis:*

*Last year, 524 Otis was still occupied; when the Occupancy was Revoked, it meant that the tenant had to be evicted; that is still going on in the neighborhood; it's a bad thing to have tenants evicted by no fault of their own because the landlord doesn't keep up the properties and that hurts; that is serious harm being done to these people & it's continuing; we can't let that continue; these properties shouldn't be rented in the first place; I'm very happy that this property, which I think is the worst, is being handled, finally; secondly, as you brought up yourself, this is a portfolio of problems; and people are being seriously harmed; if you can't handle these as a portfolio, if you have to do them one property at a time, who can handle them as a portfolio? Can anybody in the city do that? Is there somebody we can contact?*

*Ms. Moermond: Mr. Cervantes has his staff looking at this as a collection; in terms of a portfolio & taking simultaneous steps on all of the properties, the conditions of the properties & where they are in the bureaucratic process dictates some of the actions that can be taken; I would encourage Mr. Olson to look at these as a portfolio in terms of his long term management*

*Mr. Magner: the Vacant Building process doesn't start until the whole building is referred to us as Revoked; we had a number of these buildings that were partially occupied & Mr. Olson had a habit of renting one side & leaving the other; they flopped back & forth; I don't disagree that the neighborhood has been dealing with what I think is a classic case of an absentee landlord; on the flip side, I don't know that we can just come in overnight & take everyone of these properties to Legislative Hearings & request them to be razed; unfortunately, we have to follow due process; the Ordinance' guideline that we follow is generally for 2 years; this particular case on Otis we've had as a VB for 1 year; anything shorter than that would require the city to find different funds to even take this action, which I don't know that we have*

*Mr. Houey: so are we going to continue to see people renting these properties & having to be evicted?*

*Mr. Magner: I would suspect that if Mr. Olson isn't taking the steps to bring the buildings into compliance that Fire C of O folks will probably need to Vacate the structures; I don't know if Mr. Chermak has an end game in trying to acquire all of them; I don't think that Mr. Olson has the wherewithal of resolving this issue by himself; the only way that he's going to resolve this issue is there needs to be some type of liquidation, whether wholesale or piecemeal; we do know that Mr. Olson has a problem paying the taxes & it's 3 years for non-homesteaded properties & the county will have control*

*Ms. Moermond: the county is required under state law to work on a Confession of Judgement on application - a payment plan for someone to come current with their taxes & remain current with the current year*

*Mr. Magner: the county would be very eager to sell these properties at auction; the county wouldn't own the properties; the State of MN would own the properties; all properties in the state revert back to state ownership; the county is the administrator for the state*

*-by policy, we can only go after properties that have met certain requirements & one of the requirements is that we had it as a Registered VB for a minimum of 1 year; the other thing is that it has to meet the criteria set forth in Ordinance as a nuisance/dangerous structure rather than just being an empty bldg*

*Josh Champion:*

*I am a tenant at 503 Desnoyer & my wife & I are actually getting evicted; we are college graduates; my wife is a full time employee, downtown Mpls & I started my Masters Degree & am....*

*Ms. Moermond: are you getting evicted as you've been served with Unlawful Detainer Papers or has the city Revoked the C of O on the property?*

*Mr. Champion: I don't know the technicalities; what I do know is that I got a Notice saying that I needed to leave the premise from Matt Dornfeld; my wife & I are U of MN graduates; we recently had our 2 year anniversary & we have been desperately looking for housing in the whole Twin Cities area; I don't know many of the neighbors except for a couple & I certainly don't know Jay other than being our landlord & I'm not representing anyone in here but me & my wife; the property that I'm renting has been above any other ones that I've rented & the rent is completely reasonable; I was just going to come up here & be a fly on the wall - listen to everyone but I think that our opinion needs to be heard because the renters side of discussion hasn't been heard; the unit was painted, freshly re-done; it was nice in there; I spoke with Rick Gavin last fall & it was legally inhabitable; I've been there for a year & there have been several times where people have thrown trash into our yard because we're an Olson renter; I've heard city officials (Rick Gavin, Matt Dornfeld, etc.) say that they get calls multiple time per week; people are trying to shut Jay down; that's specifically what I've heard; I'm a renter & we were completely blindsighted - it was more inhabitable than several others that we looked at all over the Twin Cities; Jay has been there for stuff that needed immediate response; I understand, along with my neighbors, that he might be hard to get a hold of sometimes; as far as a habitable place - that has all the amenities you need: washer, dryer, etc; I wanted to shed some light; my unit was completely legal when we got there & all of a sudden we got blindsighted because of compliance; we've had trash thrown in our yard; we've been harassed & yelled at, specifically last week by neighbors who I don't even know; & then we've had our cars marked - our vehicles have been tagged by completely unknown folks...*

*Ms. Moermond: I will say that I've had 3 hearings outside of the context of these hearings, where people in this neighborhood have reported being harassed; this has been rental property where the landlord or the tenants have been harassed; & they've had very detailed descriptions of what has happened to them but I think that when that many people are being harassed, that's definitely a concern about just the decorum that's going on;*

*-Mr. Magner, what did you learn about 503 Desnoyer?*

*Mr. Magner: 501-503 Desnoyer was referred to the VB Program on Jun 29, 2017; we opened a VB on the whole property; from what I can tell from the file, it looks like both units were Revoked by Insp Cassidy & sent to the VB Program; at some point, both units were vacant; when did you move in?*

*Mr. Champion: early Jul 2017 & I specifically spoke with Matt Dornfeld & Rick Gavin that summer & I had verbal confirmation that it was completely legal -there were times this winter when people were stalking Desnoyer Avenue, itself; the road didn't get plowed for a couple of days; Mr. Olson had one of his guys come & they plowed it for everybody to go thru; I understand that stuff happened; I understand that there's been decades of stuff going on but he isn't just sitting aside; I'm a tenant that he's helped out & that part needs to be heard & that's all I want to say on that*

*Mr. Magner: in this folder, there's no Revocation letter; so, I don't know if it's in a*

*different folder; I think that's a question for Mr. Neis*

*Ms. Moermond: OK; I will see Mr. Adrian Neis later this morning; he is the supervisor of rental property inspections in the Fire Inspections area for the western half of the city; his phone #651/266-8992*

*Mr. Campion: what is your recommendation as far as the harassment & the negative things that the renters have to deal with - not from Mr. Olson but from everyone else?*

*Ms. Moermond: we have more difficult problems here right now than what I usually hear about; and that is sorting out if there's any actions for you with this particular property that you're living in & I will talk to Mr. Neis about that & Mr. Dornfeld to see, Orders-wise, where you're at with this property; please write down your contact information*

*Mr. Chermak: re: 501-503 Desnoyer; we have done a little bit of research, trying to help Josh; there does seem to be some confusion over whether one half of the duplex was declared or whether the whole duplex was declared vacant; we've tried to go back to find our inspector, Mr. Cassidy; my understanding is that he's since retired*

*Ms. Moermond: I'm curious: is there room for Mr. Campion & his wife in the newly rehabbed 521-523 Desnoyer property?*

*Mr. Chermak: we discussed that & unfortunately, we had a break down in communication at kind of a critical time; we hadn't talked with him in a week & we had placed an ad to rent the property & it, basically, rented immediately; so we have tenants for that property*

*-in the course of working on this property, I also live in the neighborhood, 5 houses down; I've served on the Improvement Association of Desnoyer Park; I've served on the Union Park District Council; I've been involved in this neighborhood for a while -in the few months that we've worked on it, we have had the property vandalized & we have had neighbors come to us & offer their support & offer their well wishes on bringing the property to a higher use than it had previously been; people have also come to me, recently, as they've caught wind of goings-on & just have had conversations in the neighborhood*

*-unsolicited, I've had people start dropping off letters; people who were unable to attend today but found out the hearing was happening; he asked if he could read one letter & then submit all of them*

*Ms. Moermond: you may read one & we will put them all on the record*

*Mr. Chermak: To Whom it May Concern:*

*My husband & our 3 children have lived on Desnoyer Avenue for the last 10 years. Our house is across the street from several Olson owned rental properties, including 4 units that have been tenant-occupied during that time. We have enjoyed getting to know the people living in those units & appreciate that the opportunity for affordable rental housing is available in our neighborhood. We also live near the 2-story duplex that is now being renovated & will soon be rented again. From our perspective, this is the absolute best outcome - the continued availability of affordable housing in the neighborhood under new management. I understand that some of the neighborhood have reached the point of no longer being able to tolerate the vacant, un & under maintained properties. I appreciate their perspective. Many have been around longer than us & have tried different strategies for bringing about the reasonable changed \_\_\_\_\_. It is a frustrating situation that has become personal. That said, I strongly*

*caution leaders & neighbors against pushing too hard, too fast, bringing about unintended consequences, such as evictions, loss of affordable housing or a large scale redevelopment that results in a loss of green space. In closing, it is my sincere hope that the leaders at the city or in the neighborhood will find a way the Desnoyer Park community - renters & homeowners together to figure out a way forward that maximizes outcomes for the neighborhood while minimizing collateral damage. (attached)*

*Ms. Moermond: there's a lot of work to be done; we have a new application for a Code Compliance Inspection Report; so, if we're going to follow the same kind of model as we did in the past, I will do my part to make sure that the Code Compliance Inspection Report gets expedited*

*-I'd like to have one last conversation about this before it goes to City Council*

*-we'll talk again on Aug 28 & it goes to Council on Sep 5, 2018*

*-on Aug 28, the following conditions must be met:*

- 1. A \$5,000 performance deposit will need to be posted with DSI at 375 Jackson St, Ste 220, St Paul MN 55102 – please note that the deposit will be returned with interest when the code compliance certificate is issued within the grant of time from the City Council – which is proposed to be 180 days;*
- 2. The outstanding delinquent property taxes will need to be paid;*
- 3. A detailed work plan or sworn construction statement, including timelines and bids, for completing the work required in the code compliance inspection report will need to be provided, including subcontractor bids;*
- 4. Documentation of financing sufficient to execute the above work plan will need to be demonstrated (line of credit, construction loan, personal bank account). The City currently estimates the cost to repair to exceed \$50,000; however, this number is likely to change based on the estimates owner brings forward;*
- 5. If the funds being used are not tied to the project (such as a construction loan), we require an affidavit that states the necessary funds will be set aside from other business or personal accounts;*
- 6. If owner wants to sell the property to the person or organization rehabilitating the property, the agreement between these parties must be approved by the City. This will be a contractual agreement which must stipulate that the purchaser will be undertaking the rehabilitation of the property while the property is still owned by Mr. Jay Olson, in order to be in compliance with City Codes pertaining to the transfer of nuisance/dangerous properties; and*
- 7. the property must be maintained.*

**Laid Over to the Legislative Hearings due back on 8/28/2018**

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 5     [RLH SAO 18-47](#)     Appeal of Roger Stadler to a Summary Abatement Order at 1122 JACKSON STREET.

Sponsors: Brendmoen

*Roger W. Stadler, owner, appeared.*

*Patrick Kelly, Attorney, Kelly and Lemmons, appeared.*

*Supervisor Lisa Martin: Summary Abatement Order was issued Jun 28, 2018 to remove 2 temporary structures and a skid steer from the yard; you can't store commercial equipment on residential property; compliance Jul 30, 2018*

*Mr. Kelly: in your file, you should have a letter of summary from our office; Mr. Stadler has resided at this property since 1975; he is a homeowner & he runs a repair business in St. Paul; he has maintained his property & the vacant lot next to his property; the house on that lot had been demolished; they had 60 cats; and the house on the corner of Jackson is also a vacant property; Mr. Stadler has battled cancer for the last 3 years; he gets up & goes to work the best that he can; the skid steer is like a little bobcat & has been on the property since 1985. If you're familiar with Jackson Street, there isn't a lot of blvd on it so, when the snow plows come thru (photos), they dump the snow/ice onto the sidewalk with a mixture of chemicals that freezes; the skid steer helps to remove the solid mixture of snow/ice easier; so, it's not a commercial use; there's a letter from a resident there that says Mr. Stadler is a good citizen; he was surprised that there was any type of complaint*

*-the 2nd thing is that there's a greenhouse on the property; it's been there since the mid-80's; it's heated & he has plants in there*

*-in addition, Mr. Stadler has done improvements & continues to do improvements; I'm pretty sure that he may be grandfathered in under Chap 45; there's no hazardous waste; no noxious substance; no refuse; no dangerous substance; no weeds*

*-St. Paul has an Ordinance that you have to remove snow within 24 hours; he clears driveways for people who have to go to work even during his illness*

*-so we're looking at a situation where it's not a commercial use; it's a sophisticated snow remover; & he has had the greenhouse for 15 years or more (photos); & he just spend \$1500 on railings & he's put pavers in there - made it very attractive  
-entered materials (scanned)*

*Ms. Martin: typically, with temporary membrane structures, we don't allow those in St. Paul (part of the bldg code)*

*Ms. Moermond: they are allowed on a temporary basis, are they not?*

*Ms. Martin: yes; 180 days under the bldg code (agricultural use)*

*Ms. Moermond: is there any permanent accessory structure (shed, garage, etc.) something with a foundation?  
what's the plan for the skid steer?*

*Mr. Kelly: he has a double garage where his cars are parked; as far as the tent, it's grounded*

*Ms. Moermond: how do I distinguish this piece of equipment from a hot dog truck?*

*Mr. Kelly: it is a sophisticated snow remover; it eradicates the condition caused by the snow plows in St. Paul; it's not being used for a commercial enterprise; it's being used for the benefit of the neighborhood, the surrounding properties & the cross walks; Jackson is a busy street*

*Ms. Moermond:*



*Grant an extension to December 1, 2018 to remove the temporary structures unless owner can provide manufacturer specifications to show that the structure is structurally sound; and grant the appeal on the skid steer, which shall be reviewed in one year's time to determine whether or not it has continued its non-commercial use.*

*A making finding resolution for December 4 LH and December 19 CCPH.*

**Referred to the City Council due back on 8/15/2018**

**6**      [RLH SAO 18-49](#)      Appeal of Richard Heller to a Vehicle Abatement Order at 1223 MARION STREET.

**Sponsors:**            Brendmoen

*Richard S. Heller, owner, appeared.*

*Ms. Moermond: what are you looking for today, Mr. Heller?*

*Mr. Heller: first of all, I had asked for special accommodation to have caption at this hearing; I'm wondering if that's going to be provided?*

*Ms. Moermond: I believe that you received an email indicating that the information we had received did not document that you had the need for this particular combination; that you were provided with a form from the city seeking a special accommodation; that your concern was that you were unable to interact without this mechanism but that you were able to interact, at some great length, with our receptionist, explaining what your needs were; so, we did provide, as requested, all of the documents associated with this hearing, in PDF form to you; I'm wondering if you have any information on the pop-up camper & why you want to keep that camper there or what your concern is*

*Mr. Heller: first of all, I've been denied accommodation at this hearing; you did not say they're recorded, as well*

*Ms. Moermond: I believe that it was relayed to you that there's a digital recording of these hearings & you were provided with a form from the City of Saint Paul, which for requesting special accommodation; my understanding is that is one that can be completed on-line for people with visual disabilities & you're provided with the name of a contact person to assist you should you need that assistance -these hearings are, by their nature, oral; so, I'm wondering...*

*Mr. Heller: I'd like to express how I interact with information is buying seeing & hearing just like the Adobe Reader reads out loud & it helps me for processing & recalling information; just like I would speak at this meeting & I could see what I say - if it makes sense; a lot of times, I get on different tangents or it's not understandable for the other people - except for feedback for myself as well as people I'm an official represent - the twice exceptional people \_\_\_ disabilities; currently, this process does not identify that there are recordings; the documents on-line do not identify that I need \_\_\_\_\_ condition other than the accommodation..... form that's filled out; I talked to Melissa regarding this; she's with the EEOC, I believe, or I'm not sure what it is but it has to do with opportunity for access to city; your documents on-line are not fully accessible based on your accessibility policy adopted in 2016*

*Ms. Moermond: all of the documents associated with this hearing have been converted to a PDF format & they have been put in through an optical character*

recognition software, which allows them to be read by a PDF audio reader; so, that has been addressed; I understand that both Ms. Naylor at the front desk, who accepted your appeal & my other staff have informed you that these meetings are digitally recorded & those recordings are available upon request  
-I'm going to return to the question of the camper & what your concern is with the camper

Mr. Heller: first of all, regarding the documents that are now on-line; I had a data request last year; I asked for the file on it; the city didn't have the file; one of the data requests came through on Jan 13; they provided those documents to me; historically, there was an approved surface there; I have it marked as Item E

Ms. Moermond: I'm looking at hand written notes from Code Enf Program; it looks like these notes were written in the year 2003; it's difficult to tell from the copy what exactly the Order was but it does mention that there's a problem with vehicles parked on an unapproved surface; license plate JKD 111 or 116 that's illegally there; what do you want me to gather from these documents?

Mr. Heller: the first page says to provide approved surface; the other documents - that it was corrected by putting the approved surface in

Ms. Moermond: actually, what I'm looking at is a site plan for the addition of an accessory structure or approved surface and this is a submission of construction plans saying if you wish to install an improved surface, this is an OK location in which to install it; it doesn't say that what exists there is acceptable; it says, you are granted permission to install an acceptable surface at that location; are you saying that you did that?

Mr. Heller: that's what the first page says; it was clear

Ms. Moermond: no; that's not what's.... if this says has Class 5 rock installed now, I'm certainly not looking at a Class 5 surface in the photographs; I'm looking at what is clearly green, entirely green; I'm looking at a picture of the pop-up camper & I see no Class 5 surface; I see an overgrowth of grass & weeds; so, I could not tell if there's an approved surface or not an approved surface underneath it

Mr. Heller: I cleaned the weeds off; I have a picture of that surface but it was there; I don't know why they didn't take a picture of the approved surface; but I did get approval from the city to put that surface down

Ms. Moermond: and I trust that you did but after you put them in, they do have to be maintained & in my view, it's no longer a Class 5 surface if it needs to be mowed & this clearly, needs to be mowed; really, it needs to have fresh Class 5 gravel laid down & maintained as a Class 5 surface, which it hasn't been

Mr. Heller: entered some pictures

Ms. Moermond: if this is improved, we're not quite there yet  
-I'm looking at a surface where a lot of Class 5 is no longer durable & dustless; it looks to me like you've got a fair amount of deterioration in the gravel itself to the point where it's powderized & you've got a lot of plant matter coming up thru it; I don't see a clean boundary on it like I see on the construction plan that you submitted; so, I would look for the parking area to be maintained in a fashion in which it was proposed in the past; so, if you can get yourself there, I'm happy to deal with it but you're not there yet

*Mr. Heller: I've got to get a weed killer & kill all the grass; I did put a barrier down when I initially did it*

*Ms. Moermond: over the course of many years, this happens; I would look for a clean boundary; some people use landscaping type boundary materials (black rubberized material) so that the gravel doesn't migrate throughout the yard & fresh gravel needs to be laid down so that it's a durable & dustless surface, proposed to & accepted by DSI some years ago*

*Supervisor Lisa Martin: that plan that was approved in 2003 - I want to look at; I want to make sure that we're not adding an additional parking area because there is also an area that has Class 5 on the property further back; I want to make sure that we're clear that this is not in addition to the 2003 site plan*

*Mr. Heller: I'll work with Inspector Martin; I just need a voice mail  
-I believe that the fees incurred in this process & frankly, if the inspector didn't look into the file, it wouldn't have been as long as this progress because the file does show because he specifically said, if the file does not show --- and my data request would have been fulfilled, likely, this discussion would never had to happen at this level*

*Ms. Moermond: based on the condition of the Class 5 surface that I just reviewed, the inspector's finding was correct that we do not see a legal parking surface there when it is covered up; I could not discern, looking at the photograph, that there was any Class 5 surface there at all underneath all of the vegetation so, this is something that needed to be talked about more thoroughly & whether or not you had an approval for a plan in the past, adherence to that plan is a part of what we need to look at*

*Grant to September 14, 2018 to put down more Class 5 and make clean boundaries or separation between the parking and grass areas or have the camper removed.*

**Referred to the City Council due back on 8/22/2018**

7 [RLH SAO 18-41](#) Appeal of Juliana Winner and Sei Ko to a Summary Abatement Order at 386 ROSE AVENUE EAST.

**Sponsors:** Brendmoen

*Juliana Winner & Sei Ko Keo, owners, appeared. (Used Language Line, Karen interpreter)*

*Ms. Moermond: they are appealing an Order by the city to remove garbage & rubbish from behind the garage in a wooded area; they were supposed to comply with that Order by Jul 6, 2018; because it has been appealed, we are discussing it now; we had it in hearing on Jul 17; this is a follow-up hearing because it appears that there are additional items that in the area*

*Supervisor Lisa Martin: previously a SA Order said there were boxes & debris near a fence area but now, it seems like there's continued garbage & possible furniture being thrown into the wooded area which is adjacent to the property*

*Ms. Moermond: the area we're talking about here is on the side of the house between their address, 386 Rose & the neighboring address, 380 Rose; they are appealing the Order to have to clean this up; I'd like to know why & what they're looking for today*

*Ms. Winner: this is city property; it's all wooded area; we cannot take care of all their garbages*

*Ms. Martin: it's 10 feet behind on the side; that wooded area behind the garage is not hers; people from the neighborhood come & dump things there*

*Ms. Moermond: the inspector is saying that it isn't the city of Saint Paul property; it is property that the property owner is responsible for themselves; you're responsible for 10 feet into the alley; that's yours; there's 20 feet of alley (right-of-way) & they are responsible for 10 feet into the alley in the same way that they would be responsible for the front*

*Ms. Winner: there's deep trash from the neighborhood & it's not ours*

*Mr. Keo: showing VIDEO to LHO & Insp Lisa Martin*

*Ms. Moermond: where are those telephone poles?*

*Ms. Martin: they must be right next to the fence*

*Ms. Moermond: you are responsible for cleaning up that area; do these properties have driveways?; where is your driveway? (Ms. Winner is showing where it is on an aerial map); you are going to have to pick that up because it is, technically, your property; you are the victim of dumping; you're stuck with picking it up; I'm sorry; you could purchase this property from the City of St. Paul for basically, the cost of processing the application; it costs \$100 to apply & another \$500 if you get it; then you could move your fence & include that inside your fenced yard; nobody's driveway would be affected here; you're not blocking access for anyone; that would protect you in the future & you'd also have a bigger back yard*

*Ms. Winner: no; I am selling this property; she entered a letter*

*Ms. Moermond read the letter & summarized: she describes how she feels; this ia not a safe neighborhood; there's dumping into the property; they throw things inside her fence as well as behind the fence; she mentions how her cat was outside & was injured & also that she had someone break into her house; she works a couple of jobs & is looking for the city to install signage & a camera inside the fence -the signage & camera is the responsibility of the owner; I understand that she is the victim of dumping but it is still her responsibility*

*Mr. Koe: showed more photos/video*

*Ms. Moermond: we'll have the Supervisor Paula Seeley go look at that unapproved area between the 2 houses; we ask the supervisor to write Orders on the entire area associated with their neighbor; we'll try to take care of it that way*

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*To be referred back to Legislative Hearing on August 21, 2018.*

**Referred to the City Council due back on 8/1/2018**

## **Correction Orders**

8 [RLH CO 18-31](#) Appeal of Eudora Post - Mary Havel (sister) will represent - to a Correction Notice at 1534 CHARLES AVENUE.

Sponsors: Henningson

*Mary Havel appeared representing her sister Eudora Post  
Lauren Lightner, The House Calls Program, Ramsey County, also appeared.*

*Supervisor Lisa Martin: Correction Notice issued Jul 18, 2018; it lists 11 items; photos; I met with Ms. Post & Ms. Havel at the property; we walked thru; we had a complaint of hoarding issues; I made a referral to Ramsey Co House Calls; I left a message for Ms. Havel regarding an extension that we will need due to financial restraints; we do have clear paths; we do have working smoke/CO alarms; I'm hoping that thru House Calls that we will continue to make progress in getting them the assistance they need to maintain this home*

*Ms. Moermond: there still is a fair amount of papers; we need to reduce the amount of material in the house, which we call "reducing the fire load" so that if something does happen, there's less material to burn; do you live there & what's the plan of action?*

*Ms. Havel: I have been sleeping there quite a bit; Ms. Post was in therapy because she broke her hip & I slept there to prevent break-ins; I'm not a renter there; it's a single-family home & my sister owns it*

*Ms. Lightner: I met with both of them & spent some time with them; they've had their locks changed when I was there; at this time, they are resitant to the idea of using St. Paul Home Loans & to using a crew to help with the paper; they have a church lady who comes once a week to help*

*Ms. Havel: and we might get another lady, Char, to help with the mail; there's so much mail*

*Ms. Lightner: I did reach out to Char, Baron Enterprises, & made a referral; Char gave you a call & you guys said that you were doing fine & don't need her help*

*Ms. Havel: Eudora has a lot of mail to go thru; we'll probably need some help*

*Ms. Lightner: I evaluated & they do qualify for that help*

*Ms. Martin: when I spoke with Ms. Havel & Ms. Post, they mentioned that they have a person help with the grass & that maybe his son could help you with tearing off the torn carpeting on the stairs & doing other minor things*

*Ms. Havel: he's coming Aug 1 to check the front sidewalk & steps, take measurements, etc; the upper landing carpeting will need to come off, too*

*Ms. Martin: we did have access to all areas; the basement looks wonderful; the kitchen/dining/living areas still need work*

*Ms. Lightner: I noticed that their stove isn't working & there's no microwave*

*Ms. Havel: we can get a microwave*

*Ms. Moermond: is there assistance to be able to help them get the stove fixed or get*

*a functional stove?*

*Ms. Havel: I think it's working but we haven't been doing a lot of cooking; I've been getting the sandwiches at the Holiday Inn & we have chips with that; she's a very little eater; it's hard to get her to eat*

*Ms. Martin: we talked about Meals on Wheels*

*Ms. Havel: she's had some of those but she's not keen to them; she has 1 bottle of Ensure daily; I get her pills ready for her & she likes to sleep a little later*

*Ms. Moermond: Ms. Lightner will have some recommendations for your nutritional needs; you guys do need to take advantage of Ms. Lightner's services; I'm really concerned about the volume of paper; it's very dangerous*

*Ms. Havel: she got rid of a lot of that paper*

*Ms. Moermond: it needs to be reduced by a lot more; you need assistance; you have some deferred maintenance, including the stove, if needed; how long for assistance to help with minor repairs? (photos); I'm happy to hear that you're willing to take some assistance from Char & her program*

*Ms. Havel: A-1 Locks came to take the lock off & put in a new lock*

*Ms. Lightner: Brush with Kindness is out 4-6 months; her sister is qualified to do St. Paul Home Loan Fund*

*Ms. Moermond: would they have to make payments?*

*Ms. Lightner: they'd be deferred until sale*

*Ms. Moermond: I strongly encourage you take advantage of the Home Loan Fund money & get these repairs under control*

*Grant until August 21, 2018 to remove 50% of the clutter and grant to November 2, 2018 to make repairs to the remaining items.*

**Referred to the City Council due back on 8/22/2018**

**9**      [RLH CO 18-30](#)

Appeal of Rory Jones to a Correction Notice at 774 JENKS AVENUE.

**Sponsors:**      Bostrom

*Rory Jones appeared. (Mr. Jones is very difficult to understand.)*

*Supervisor Lisa Martin: Jul 13, 2018 Correction Notice was issued re a deteriorated retaining wall; it's starting to collapse; repair/replace under permit by Aug 3, 2018; photos in file*

*Ms. Moermond: looking at photo: is yours the white house?*

*Mr. Jones: yes*

*Ms. Moermond: but you're saying that the retaining wall is on the neighbor's property?*

Mr. Jones: yes; my understanding is that when the property was sold, there was a disclosure form that I witnessed in which \_\_\_\_\_ at 778 stated that they owned 2 feet beyond the retaining wall, which I thought was rather odd (brought up pictures);  
-looking at pictures:  
-shows where the renters of 778 Jenks would store stuff between the house & retaining wall  
- this is the start of the driveway for 778 Jenks; this driveway goes on his property  
-the retaining wall itself really wasn't in bad shape until the tenants in that rental property started climbing the fence to get on top of the shed to play; the fence is broken due to the renters  
-shows how they let their pets (dog) out the window to play on the roof  
-this is the window from the laundry room from which they would drain their washing machine out onto the retaining wall  
-this picture shows how they bent the fence up by climbing up on the retaining wall all the time; the tenants used to party out there & stand on the wall  
-picture of how they bent the fence by climbing on it  
-picture of where they pulled down the wall as they climbed up on the shed to jump off  
-picture of the back by the alley after the wall had fallen in one large piece; they'd hide their stolen grill back there & stand back there in groups doing illegal things  
-I live at 774 Jenks; the retaining wall extends the entire length of the property

Ms. Martin: Ms. Seeley mentioned that this retaining wall is on his property & wraps all the way around the property; it's the same material

Mr. Jones: they are all timbers; there's no erosion at the front of the property

Ms. Moermond: so, you're saying that the problem was caused by the neighbors

Mr. Jones: the problem was caused by the neighbors & the wall at the front has no deterioration; some of the wall at the east is rotted; (he is showing on a picture, I believe, where the pin is for neighbor's property)

Ms. Moermond: I can't accept that as a measure of where the property line is; you would need to have a survey done; what I'm stuck with is that this appears to be a retaining wall that was built exclusively for your property; I don't know why it exists on their property; if that was something that a previous owner for your property got permission to do or not; it looks like your house is very close to the property line  
-here's the deal: there is an obligation on the part of the person who owns the higher elevation property to retain the soils from their property from eroding into the neighboring property; in the view of the inspector, the retaining wall belongs to your property; you're telling me that you don't own the retaining wall

Mr. Jones: right

Ms. Moermond: but you haven't brought any documentation to prove that you don't own it by way of survey or any other kind of legal document; both the law that says you have a higher elevation & need to maintain your property and evidence from the inspector that this is the same retaining wall enveloping your property; that means that you have a private argument with your neighbor about damage that they have made on your wall; so, I don't know if you have an easement onto their property; I don't know any of this; I haven't seen it but I do know that the retaining wall is not safe the way it is right now; you may need to hire an attorney or do something else but unless you bring me more information, I can only say that you are the one who is going to be responsible for repairing that retaining wall; I do think that the wall is going to collapse

come winter (snow loads & water problems);  
 -I can have a structural engineer go out & look at it & see if they can put some sort of a timeline on how long that wall has but it doesn't look promising to me; I will ask Brian Karpen to take a look at that wall  
 -I will grant until Dec 1 to repair it  
 -I will check with Mr. Karpen to see what his opinion is about how durable that wall is

Mr. Jones: can we schedule that for Fri so I can talk to him when he comes out there?

Ms. Moermond: I don't know how he manages his time; my guess is that he'll look at it, take photos & write an opinion about it; then, you'll get a copy of that; I'll give him your contact info

Grant an extension to December 1, 2018 to repair the retaining wall.

**Referred to the City Council due back on 8/22/2018**

#### Orders To Vacate, Condemnations and Revocations (Code Enforcement)

- 10 [RLH VO 18-34](#) Appeal of Daryl Smoliak to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 408 HAZELWOOD STREET.

**Sponsors:** Prince

Layover for staff report only. Inspector to re-write orders with new deadline.

(Daryl Smoliak, homesteader, appeared.) ????

**Laid Over to the Legislative Hearings due back on 8/7/2018**

#### 11:30 a.m. Hearings

#### Orders To Vacate, Condemnations and Revocations (Fire Inspections)

- 11 [RLH VO 18-30](#) Appeal of Camille Perry to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 71 MARYLAND AVENUE EAST.

**Sponsors:** Brendmoen

Camille Perry appeared.

Fire Supervisor A.J. Neis: Ms. Perry was to present a Work Plan

Ms. Moermond: the Work Plan looks good; until it gets to the part that says some of the work won't be able to get done before the 31st; I totally respect that; I need to know the timeline of when they will get done after the 31st, which is today; I'm assuming that if an inspector went to check those things that you said would be done by the 31st, they'd all be done but things like the dryer vent, other things...  
 -what are you looking for in a timeline to finish those items?

Ms. Perry: at least another 6 weeks; we have some cleaning to do in the garage itself



- get some stuff out of the backyard; I don't want to just throw things into the garage; and the kitchen flooring; a tile was put over a linoleum

Ms. Moermond: one thing you have on this list is smoke alarms, #12;

Ms. Perry: that's done; I'm looking at the list from Jun 29 - he talked about the upstairs bedroom; there's an outlet that needs a cover; a light needs a globe

Ms. Moermond: I'm going to accept the Work Plan that you emailed, dated Wed Jul 25, noting that those items you said couldn't be done by Jul 31, the deadline for those will be Sep 21, 2018; you'll receive a letter in the mail from Mr. Neis' staff giving you an appointment time after that just to walk thru to see that those things are done; I think we're in good shape

-scanned in more information (ownership papers)

---

LHO accepts the deadlines outlined in the proposed work plan and for those items not done by July 31st, grant an extension to September 21, 2018 for compliance.

**Referred to the City Council due back on 8/22/2018**

**12**     [RLH FCO 18-90](#)     Appeal of Camille Perry to a Fire Certificate of Occupancy Correction Notice at 71 MARYLAND AVENUE EAST.

**Sponsors:**     Brendmoen

Camille Perry appeared.

Fire Supervisor A.J. Neis: Ms. Perry was to present a Work Plan

Ms. Moermond: the Work Plan looks good; until it gets to the part that says some of the work won't be able to get done before the 31st; I totally respect that; I need to know the timeline of when they will get done after the 31st, which is today; I'm assuming that if an inspector went to check those things that you said would be done by the 31st, they'd all be done but things like the dryer vent, other things....  
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Ms. Moermond: I'm going to accept the Work Plan that you emailed, dated Wed Jul 25, noting that those items you said couldn't be done by Jul 31, the deadline for those will be Sep 21, 2018; you'll receive a letter in the mail from Mr. Neis' staff giving you an appointment time after that just to walk thru to see that those things are done; I think we're in good shape

-scanned in more information (ownership papers)

---

LHO accepts the deadlines outlined in the proposed work plan and for those items not

done by July 31st, grant an extension to September 21, 2018 for compliance.

**Referred to the City Council due back on 8/22/2018**

**13**     [RLH VO 18-35](#)

Appeal of Jacob Laliberte to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 701 GERANIUM AVENUE EAST.

**Sponsors:**         Bostrom

*Jacob Laliberte appeared.*

*Fire Supervisor A.J. Neis: this is a Revocation of the Fire Certificate of Occupancy by Fire Inspector Jacob Wheeler for long term noncompliance with a Vacate date set for Aug 20, 2018; based on the complaint, the owner feels that the Revocation is in retaliation by the inspector for unknown reasons; there have been allegations made of the inspector which haven't been founded; multiple code violations on the property*

*Ms. Moermond: who is Jacob Ingalls?*

*Mr. Laliberte: that was my name before I changed it; and they never changed my address; the city still has my old name with my old address; I'm remodeling the other property & living at 701 Geranium on the first floor; it probably has been vacant for a couple of years; I understand some of the things on the list & I did describe why I feel the inspector has a vendetta against me in my letter; I've had only 2 inspections; I had 1 inspection Apr 19, 2018; the next inspection just happened & they gave me a Vacate on the 2nd inspection - and they added new stuff*

*Mr. Neis: as far as adding on, there is nothing in the code that says that we have to go backwards & start Orders fresh; I spoke with Mr. Wheeler & there were fresh items; looking at the history of this property: Jul 3, 2018 complaint for improperly stored/accumulated materials; Jul 29, complaint from code enf; Jul 27 another one; Jun 20, 2018 complaint (these are complaints called into the city; not be an inspector); Jul 13; Oct 17, 2017; Jun 5, 2017 TGW; Mar 3, 2017; there's a ton of complaints on this property during his ownership; the new added items are based on continued complaints*

*Mr. Laliberte: I wish you could come & actually look at this property; I nearly put \$30,000 on this property; I know there are complaints but it's not because of me; it's because of the tenants  
-when I first spoke with Mr. Wheeler, he said, you get 3 inspections; I've gotten 2 (Apr & this last one); everything on the list was completed except the stained glass; I talked to DSI & asked if it had to be stained glass at the bottom of the stairs; I'm trying to find some place to repair it; I was told that I couldn't put a framed piece of plexi glass in there; bldg inspections said that I could  
-& no one smokes; those old cigarette butts in the basement have been there for 2 1/2 yrs*

*Ms. Moermond: & the gas can?*

*Mr. Laliberte: the gas can has water in it - plumbing leak*

*Ms. Moermond: if it's been used as a gas can, it can't be stored inside; I don't care what you have in it*

*Mr. Laliberte: the 2nd inspection - the gas can is not there*

*Mr. Neis: we're not going to do forensics on cigarette butts*

*Ms. Moermond: what are you looking for today?*

*Mr. Laliberte: I was told there are 3 inspections before revocation; I've had only 2 inspections*

*Mr. Neis: the first appointment letter was sent on Dec 28, 2017 for an inspection on Jan 30, 2018 at 2 pm; the inspector knocked on the door 3 times & there was no answer; called Jacob & asked if he received the appointment letter; Jacob stated that he was in Panama & he just had a C of O inspection in 2017; (he looked in the folder & advised Jacob that the last C of O inspection that was shown was certified in 2013 & renewal was due in 2015); a new letter was sent Feb 26, 2018 for a Mar 19 inspection at 10 am; Mar 20, he arrived at the property for the scheduled appointment, knocked 3 times, no response; waited 15 minutes before \_\_\_; received a call from Jacob later requesting a re-schedule; a new letter was generated on Mar 20 with a re-inspection scheduled for Apr 19, 2018; I believe that inspection finally did happen; on Apr 20, an inspection was done of the property with a re-inspection scheduled for Jun 4, 2018 at 1 pm; Jun 4 at 1 pm, request to re-schedule per property owner (to Jul 20, 2018)*

*Ms. Moermond: looking at pictures: I see a lot of smoke detectors that are off their brackets; light fixtures hanging*

*Mr. Laliberte: I wasn't in the country until Apr; I leave in Oct & don't come back until Apr*

*Ms. Moermond: who maintains your property in your absence?*

*Mr. Laliberte: the guy that was testing the wires, who left the fixture hanging out when the guys came out; if we would have needed an electrician, we would have had one go over there; actually, the dimmer switch inside the light was stuck  
-I have a permit for the roof; I haven't fixed the fascia because I knew I was going to fix the roof*

*Ms. Moermond: you have a re-inspection scheduled for Aug 20, 2018*

*Mr. Laliberte: right & if they don't like what they see, they can give me an Order to Vacate*

*Ms. Moermond: yea*

*Mr. Laliberte: that's why I'm saying that I would like a prior inspection so that I still have time to fix items*

*Ms. Moermond: is it just you living there?*

*Mr. Laliberte: I have Paul, tenant, upstairs; it's a duplex; if they can schedule prior to Aug 20, I can correct things by Aug 20  
-there's nothing on this list that hasn't been completed; if he wants to look at it tomorrow morning, I can go out there*

*Ms. Moermond: Mr. Neis didn't mention this but if something wasn't called in error in the past but it was a problem that existed; the inspection folks have every right to call*

*it out now*

*-I have a very low level of faith because in these 3rd or 4th set of Orders, I'm still looking at any number of locations that are written up for missing smoke/CO alarms*

*Mr. Laliberte: he didn't have access so he just re-wrote the same Order; they were fixed but since he didn't have access, he just re-wrote the same Order; but he did have access to the upstairs & I told my tenant about the inspection*

*Ms. Moermond: I'm going to recommend to the Council to deny your appeal*

*Mr. Neis: next inspection will take place Aug 9 at 3:30 pm; if not Insp Wheeler, then myself*

*Ms. Moermond: on City Council Public Hearing Aug 22, 2018*

*Inspector will conduct inspection on August 9 at 3:30 p.m. to determine what is done and a staff report will be given on August 14.*

**Laid Over to the Legislative Hearings due back on 8/14/2018**

**14**     [RLH VO 18-33](#)

Appeal of Shelly Bakken, Premier Management, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 947 MINNEHAHA AVENUE EAST.

**Sponsors:**     Prince

*Shelly Bakken and Jeremy Rainer, Premier Management, appeared o/b/o Michael Buelow, owner.*

*Fire Supervisor A.J. Neis: Revocation of Fire Certificate of Occupancy/Order to Vacate issued by Fire Inspector James Thomas; only 1 thing is being appealed: the SE corner bedroom that leads onto an enclosed front porch (photos); appears to be the only window out of that bedroom area*

*Ms. Moermond: we don't have photos*

*Mr. Neis: Mr. Thomas added them only today; I have them on my computer (viewed with Ms. Moermond)*

*Ms. Moermond: living room converted into a bedroom (?)*

*Mr. Neis: based on the photos, this is a south porch that at some point was an open porch; we see this a lot; probably enclosed 30-40 years ago; it has a sloped porch to allow rain water to run off; also, the way the screen doors are put in with the pockets*

*Mr. Rainer: this was inspected last year & was never brought up*

*Mr. Neis: the previous inspectors should have called it; I apologize that I can't give you a better explanation than to say that "We're human;"  
-you would need to remove the windows on that porch - making it an open porch again*

*Ms. Bakken: but removing the double hung windows would look ridiculous; it would just look as though we're missing windows; would not look nice*

*Mr. Neis: it's possible that the porch, itself, was an addition; you can tell - it doesn't*

*match*

*Ms. Moermond: the conversion of living space into sleeping space also happens over time as the conversion from a single family home to a duplex; if that were originally a bedroom, they would have constructed it differently because the Fire codes back then were the same as they are now, in terms of passing thru an enclosed space; so, it never would have been built that was if it were an original bedroom*

*Mr. Rainer: it is an original bedroom; the floor plan just makes sense*

*Ms. Moermond: almost never, ever, in architectural plans is that space an original bedroom & there's no way for us to know that this one was an original bedroom*

*Mr. Neis: you can tell how the doors were added -*

*Mr. Rainer: so, back then, it was legal to do that without you guys hitting them on it or they did it without a permit (?)*

*Mr. Neis: (1) it probably was done without a permit back then; or (2) a lot of times back then, if they did pull a permit on it, the building inspector only would look at the work that was built so they would never have thought of asking, "What's behind this window?"*

*Ms. Moermond: how many bedrooms does the place have?*

*Ms. Bakken: there's 2 bedrooms in the lower unit & 3 bedrooms in the upper unit -and, there's no way to add a window to that lower bedroom*

*Mr. Rainer: there's 2 double hung windows without screens going from that bedroom to the porch  
-there is a back door to this unit*

*Mr. Neis: the concern is that we need 2 direct ways to get out of the house; one of the things that we've allowed in the past is a hardwired interconnected smoke alarm to be put into that porch area so, if something happened, it would notify the occupants inside but that doesn't give you a 2nd way out; we only allowed that with the condition that there was a 2nd means of egress, like a back entry & there is for both units but that layout was different from this one*

*Ms. Moermond: you may need to engage an architect  
-is there a living room in that unit?*

*Mr. Rainer: yes; you walk into the front door & it goes straight into the living room*

*Mr. Neis: is there a window in that living room?*

*Mr. Rainer: yes*

*Mr. Neis: would they be opposed to using the living room as a bedroom & their bedroom as a living room*

*Mr. Rainer: I doubt it; I don't think she'd be happy*

*Mr. Neis: we're trying to figure out solutions for you;*

*-there's no way to pop a window into that bedroom*

*Ms. Moermond: some discussion ensued re: options; and the city's Rental Rehab Program*

*Grant to December 1, 2018 for owner to:*

- 1) remove windows from the porch; or*
- 2) stop using the room as a bedroom; or*
- 3) open up the wall by 50%; or*
- 4) install sprinkler system.*

*Enforcement of the revocation is stayed until December 1, 2018.*

**Referred to the City Council due back on 8/22/2018**

## 1:30 p.m. Hearings

### Fire Certificates of Occupancy

- 15 [RLH FCO](#)  
[18-106](#) Appeal of Wayne Young to a Correction Notice-Reinspection Complaint at 949 FOREST STREET.
- Sponsors:** Bostrom
- Layover to September 4 to determine if owner is working in good faith to sell the property. Good faith is defined as listing the property on the MLS.*
- Laid Over to the Legislative Hearings due back on 9/4/2018**
- 16 [RLH FCO](#)  
[18-126](#) Appeal of Trish Stevens to a Correction Notice-Complaint Inspection at 656 IGLEHART AVENUE.
- Sponsors:** Thao
- No one appeared.*
- Fire Supervisor Leanna Shaff: I talked to the Appellant, Trish Stevens, yesterday; she's appealing the garage door; it has some issues; it's a matter of getting the vehicle out of the garage, etc; we agreed that having it done by Aug 15, 2018 is doable; she was just looking for a little more time to have a contractor come in*
- Ms. Moermond:*
- Grant to August 23, 2018 for compliance.*
- Referred to the City Council due back on 8/22/2018**
- 17 [RLH FCO](#)  
[18-130](#) Appeal of Vicki Karr, Property Manager, to a Fire Inspection Correction Notice at 2610 UNIVERSITY AVENUE WEST.
- Sponsors:** Henningson
- Grant to September 7, 2018 to remove card reader.*

Vicki Karr appeared.

Fire Inspections Supervisor Leanna Shaff presented the following report: this inspection was conducted by Inspector Migdal. On the 2nd floor of this building, when you access the elevator, you are in the lobby. In order to access the stairway, you must pass through the tenant space, which requires a key fob. The Fire Code requires access to egress which is clear of obstruction and in this case, the card reader/key fob is unapproved mechanism.

Ms. Moermond inquired why Ms. Karr is appealing the orders.

Ms. Karr indicated that she is the property manager and the tenant on 2nd floor occupies the entire floor, so when exiting the elevator, they have a key fob which will release the door. If there's a fire alarm or power outage, the door automatically releases and an alert goes to 3 individuals phones in the building and a 4th call is to an off-site person if it is after hours. It is not the general public who goes in this area, just the employees of this tenant. There are 3 exits up there, the normally used stairwell which just goes into their space and there are 2 fire exits on each end of the building.

Ms. Moermond asked if the elevators were generally accessible and if anyone could gain access to the 2nd floor elevator lobby. Ms Karr responded the elevators don't require a key, the tenant believed that would be an ADA issue. Ms. Shaff reported that Inspector Migdal suggested that key access in the elevator would provide a similar level of security to the 2nd floor tenant without the need for the card reader – which limits egress down the stairs to those with card access.

Ms. Shaff reported there is very little latitude in the Fire Code on this issue.

Ms. Karr suggested a build-out option which would reconfigure the lobby area to alleviate this problem and Ms. Shaff responded it may be a viable option, but would need to be done under permit.

Ms. Moermond summarized and indicated she would be recommending to the City Council that the key reader would need to be removed by September 7.

**Referred to the City Council due back on 9/5/2018**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 18 [RLH VBR 18-49](#) Appeal of Scott Endres to a Vacant Building Registration Fee Warning Letter at 287 AVON STREET NORTH.

**Sponsors:** Thao

*Waive the Vacant Building fee for 90 days and allow demo permit to be pulled.*

*Scott Endres appeared indicating he is the owner and lives next door at 283 Avon Street North.*

*Vacant Building Inspection Supervisor Matt Dornfeld provided the following staff report:*

*This has been a category 2 registered vacant building since 2007. DSI has received a vacant building registration fee for the past 10 years from Homecomings Financial Network, Inc. from Houston, TX. There was a Truth-In-Sale-of-Housing (TISH) Inspection that lists 12 hazards. There is no code compliance inspection report on file, no permits. The property has been maintained. The appeal today is about the 11th vacant building registration fee for this building. Ramsey County shows this as a 3-family dwelling, but city records show it is a duplex (287-289 Avon), a legal non-conforming RT 1.*

*Mr. Endres indicated he has owned the property for 10 years and lived at his personal next door for 22 years. His plan was to either renovate the duplex or remove it and do an addition to his house and add a garage. In 2007, this wasn't financially feasible, but he has maintained the exterior property over the years. The interior has not been addressed. Now, he is financially ready to move on the project. He has been paying the fees. The construction industry is very busy and it's taken awhile to get bids back for project. Now he sees there are 3 options: 1) removing the dwelling and building another; 2) renovating the building; or 3) combining the lots and expanding his own residence with a new garage. He also thinks he may sell.*

*Ms. Moermond asked for more information on his specific plans, so she could better assist him. He indicated that regardless of the course of action, right now he wants to remove the building, which would get it off the vacant building list. However, he has contacted 6 contractors and is having trouble.*

*Ms. Moermond referred Mr. Endres to Inspector Joe Yannarely at the Department of Safety and Inspections to get a complete list of the 20 or so licensed demolition contractors in the City of Saint Paul, so he would have some more options.*

*Ms. Moermond will recommend that Mr. Endres be allowed to pull permits and will recommend the Council waive the vacant building fee for 90 days. If this ends up going to assessment, Ms. Moermond will look at pro-rating the fee.*

**Referred to the City Council due back on 9/5/2018**

**19**      [RLH VBR 18-48](#)      Appeal of Peng Sue Yang to a Vacant Building Registration Fee Warning Letter at 64 JESSAMINE AVENUE EAST.

**Sponsors:**              Brendmoen

*Peng Sue Yang, PEB HMOO LLC, owner, appeared.*

*Supervisor Matt Dornfeld, Vacant Buildings: this was here in front of you, Ms. Moermond, back in Apr 2018; you granted a 90-day VB fee waiver in order to gain code compliance; currently, we have open permits; we're here to discuss the VB fee that's due now (Apr 12, 2018-2019); the extension is up; anniversary date: Apr 12, 2016 -Mr. Yang was approved by our Sale Review on Aug 22, 2017; he's been involved with this property just a little under a year -no nuisance violations to report; property has been maintained*

*Mr. Yang: I appreciated the 90 days that you granted me; I'm almost done; I closed the electrical permit, the heating permit; the plumbing insp came last week & pointed out a minor thing that I corrected; my plumbing contractor is scheduled to come again tomorrow; we expect that we'll be passed by tomorrow; James came in 2 weeks ago; he made a few things for us to correct, which we already have; we're just waiting for the plumbing to pass - final insp tomorrow; then, we will contact James for final inspection*



& that's all; I'm almost there

*Mr. Dornfeld: I'm showing permits: electrical finalized; plumbing open; building open; no warm air mechanical*

*Mr. Yang: one of my--- have a company in the name of Astec Heating; he came to fix it & he contacted Kristi & she came into the bldg & said, "Thumbs up; good to go" -right now, just plumbing & James, that's it*

*Mr. Moermond: City Council Public Hearing is Aug 22; if you have your Code Compliance Certificate by then, you're out of the VB Program & there's no fee; if not, the city will process it as a tax assessment & I will look at it in terms of prorating it down the line*

\_\_\_\_\_

*If owner receives code compliance certificate by August 22, 2018 and VB fee will not be processed.*

**Referred to the City Council due back on 8/22/2018**

- 20**     [RLH VBR 18-47](#)     Appeal of Laura Narayan to a Vacant Building Registration Renewal Notice at 945 OSCEOLA AVENUE.

**Sponsors:**     Noecker

*Waive the VB fee for 90 days.*

*Vacant Building Supervisor Matt Dornfeld reported the vacant building file was opened on this property in August of 2016, and it was made a category 1 registered vacant building at that time. There as a complaint about the small retaining wall in the front yard. The owner is deceased. The structure is in fair condition and is being maintained.*

*Ms. Narayan said that she bought the property last December with the intention of making this their primary residence. They have been doing a lot of updates and plan to move in in September.*

*Ms. Moermond said she would recommend the that the City Council waive the vacant building fee, expecting that Ms. Narayan would be out of the vacant building program very soon.*

**Referred to the City Council due back on 9/5/2018**

- 21**     **RLH VBR 18-50**     Appeal of Michele Murphy to a Vacant Building Registration Notice at 1339 SEARLE STREET.

**Sponsors:**     Bostrom

*Michele Murphy, owner, appeared.*

*Ms. Moermond: Revocation of a Fire Certificate of Occupancy & Vacant Building Registration*

*Fire Supervisor Leanna Shaff: this was a Revocation of the Fire C of O due to long term noncompliance issued by Fire Inspector Jacob Wheeler; first inspection was on Feb 7, 2018 - one of the items was that a sleeping room window couldn't open; another*

significant item was that the vent on the heating appliance had an improper pitch, which causes them to not vent properly, collecting gases in the house; inspections carried over a series of 18 months; the Responsible Party is Renters Warehouse; some of the letters Insp Wheeler copied to the property owner; we Revoked the Fire C of O on Jun 7, 2018 for long term noncompliance, giving them to Jun 29, 2018 to have the last items of fire safety taken care of; it was not taken care of; the inspector notes that there were 10 items (clothes, furniture still in the home, TV on in the living room, etc) - deficiencies not corrected, so, we enforced the Revocation & Order to Vacate; since then, there has been a significant clean-up

Ms. Moermond: I take it that you folks referred it over to the VB Program

Ms. Shaff: we couldn't get a response from Renters Warehouse or the property owner; we had no other choice

Ms. Moermond: Ms. Murphy, thank you for the nice letter

Supervisor Matt Dornfeld, Vacant Buildings: we opened a VB file because of Inspector Shaff's testimony

Ms. Moermond: you've got a rough situation here; so, tell me a little about what's going on

Ms. Murphy: My husband & I have owned this property since 2006; we had all of our children there; in 2013, we purchased another residence & moved in; we tried to sell Searle but we weren't able to do so, so we decided that we were going to rent it out; I'm not from Minnesota so we figured that we'd contract with a management company, Renters Warehouse; during that time, we had some issues; during this past year, we had issues with the tenants; we had a 2-year lease agreement with them; and about 8 months ago, the woman who was on the lease had her boyfriend move in & it's been really difficult since that time; in any event, I got a letter in Feb that indicated that there needed to be some Corrections made; so we did the Corrections & then there was another inspection scheduled for Mar 8 & my understanding is that normally they send a letter; I didn't get a letter & I don't have a copy so my assumption, which clearly was incorrect, was that there was still one Correction that needed to be made; so, I just thought that since I hadn't received something that the Corrections were remedied; so, I moved forward; in any event, as we were preparing to get this tenant out of there (there were issues & the neighborhood was unhappy with the tenants), I had sent a Notice to Vacate to them so that they had to be out by May 31, 2018; Renters Warehouse assisted with that process & the tenants didn't leave; they were sent numerous Notices from Renters Warehouse that indicated an official process had been started because they hadn't turned in the appropriate paperwork in May, then, they continued living there; so, it's during this time (my understanding) that the tenants refused access to the city inspectors

-as a side note, we listed our house for sale; we obtained a TISH; and during the course of a week, the tenants refused entry 31 times even though they approved entry for the realtor; so, we had to pull it off the market

-I, nor Renters Warehouse could get the tenants to respond to even leaving the residence; they were there past their lease; I got really frustrated & was told by Renters Warehouse that technically, they had 30 days afterwards, which would be considered a month to month, during which they needed to Vacate; so, I couldn't totally evict them; I had to give them that time

-then, when I went to do the walk-thru, they were still there with their stuff; they said they'd take of it & be out; & I wanted to go out of town; I had a pre-scheduled trip with

*my family; I said, "OK; if they're taking care of it - they're going to be out, I am going to remove the remainder of their property & I'll make sure that it's nice & clean so that we can list our house when I get back;" I did that & I checked my mail & saw an Abatement Order, which I'm not contesting; the city cleaned it up & I'm OK with that; I contacted the city to find out what specifically it was for (Renters Warehouse told me that I had to provide specifics in order to charge it back to the security deposit); so, I got the information & then, they said, "By the way, your also going to get a letter about this Certificate of Occupancy;" I told them that we wanted to sell our house; we didn't want any more tenants; she told me to contact Insp Wheeler; when I drove by the house, I saw a Notice on the door & I wanted to know what that Notice meant because it wasn't there before when I was there; I asked Jacob about it & he told me what it meant; then, I started calling around to try to find out how do I fix all of this?  
-we want to correct what needs to be corrected & be able to sell it & move on; it's empty now & all cleaned*

*Ms. Moermond: where are you at with fixing the vent?*

*Ms. Murphy: I have to get a permit in order to fix the vent & when I called I was told that I can't obtain that permit yet until there's resolution; I'm in a catch 22*

*Ms. Moermond: so, you have a contractor ready to go, good; Mr. Dornfeld will put a note in the VB file that will allow for permits to be pulled; if this is the one item that's remaining & you're putting it on the market; I can't see where this is appropriate for the VB Program; this is pretty straight forward; if you're renting, it's different - you'd need that C of O*

*Ms. Shaff: what do we do with the Fire Certificate of Occupancy?*

*Ms. Moermond: if it's not being rented, then, they don't need it*

*Ms. Shaff: we're looking for a signed off permit in order to finish out the Fire C of O*

*Ms. Moermond: seems like a reasonable thing to do; so that if someone were to buy it as a investment property as opposed to living there themselves, the Certificate would be set up & ready to go; and you can use the Fire C of O in lieu of the TISH  
-your contractor will need to go to DSI's desk & tell them to look at the VB file to see that permits are allowed to be pulled  
-I'm going to lay this over to Aug 14, 2018 LH when I will check the file to see if the permit is signed off & the VB closed; if there's no file there, there will be no VB fee but you will get your Fire C of O back again*

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*Layover to August 14 and if the permit for the boiler is finalized, VB file will be closed and VB fee will not be processed.*

**Laid Over to the Legislative Hearings due back on 8/14/2018**