



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Jean Birkholz, Hearing Secretary
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651-266-8585

Tuesday, August 7, 2018

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments - 9:00 A.M. (VB, B, C)

- 1 [RLH TA 18-439](#) Deleting the Appealed Special Tax Assessment for property at 1010 BUSH AVENUE. (File No. VB1813, Assessment No. 188812)

Sponsors: Prince

Delete. House was actually vacant less than 60 days and VB 1 folder should have not been opened.

Referred to the City Council due back on 9/19/2018

- 2 **RLH TA 18-449** Ratifying the Appealed Special Tax Assessment for property at 1261 BUSH AVENUE. (File No. VB1813, Assessment No. 188821)

Sponsors: Bostrom

Mark Younghans appeared.

Supervisor Joe Yannarely:
Cost: \$2127
Service Charge: \$157
Total Assessment: \$2284
Gold Card Returned by: Mark & Christine Younghans
Type of Order/Fee: VB fee
Comments: Cat 2 VB File opened on 5/1/17; 4 finaled permits. Just needs final building permit sign off by Seeger; Close to being done
History of Orders on Property:
05/11/2017: SA Printed
05/23/2017: Garbage Rubbish WO created: PA 17-042046
Remove large branches, refuse in & out of containers, rubbish, discarded items in yard
05/23/2017: Tall Grass WO created PA 17-042047
Cut & remove tall grass, weeds from yard, blvd & alley areas
06/01/2018: Tall Grass Complaint Received

06/29/2018: Scattered refuse & rubbish, full containers in back

Mr. Younghans: big issue: we had a water pipe freeze; it took longer than anticipated; it should have been done 3 months earlier; we're pretty much there; appliances/granite are in; still need to do some floor sanding & install carpet; walls are sealed; plumbing is good; everything's ready; I just didn't choose the best contractors; it should have been only a 2-month remodel

Ms. Moermond: VB fee we're looking at now covers from May 11, 2018 - May 10, 2019; we're about 60 days into the current billing year; you're expecting to be done within 90 days; if you can get this done by Sep 19, 2018, I'll recommend the Council delete this assessment; if you can't get in done by then, I'll recommend that Council cuts it in half; we'll check the file on the morning of Sep 19, 2018 for the Code Compliance Certificate

—
If owner receives code compliance certificate by September 19, will delete. If not, will reduce by half.

Referred to the City Council due back on 9/19/2018

- 3 [RLH TA 18-459](#) Deleting the Appealed Special Tax Assessment for property at 1400 DAYTON AVENUE. (File No. VB1813, Assessment No. 188821)

Sponsors: Thao

DSI recommended deleting the assessment. The house was already rehabbed and occupied since November 9, 2009.

Referred to the City Council due back on 9/19/2018

- 4 [RLH TA 18-450](#) Ratifying the Appealed Special Tax Assessment for property at 837 FOURTH STREET EAST. (File No. VB1813, Assessment No. 188821)

Sponsors: Prince

Approve; no show.

Referred to the City Council due back on 9/19/2018

- 5 [RLH TA 18-457](#) Ratifying the Appealed Special Tax Assessment for property at 345 GOODRICH AVENUE. (File No. VB1813, Assessment No. 188821)

Sponsors: Noecker

Approve the assessment. (Owner came to hearing but stated she didn't want to stay to contest at the Legislative Hearing and wants to contest directly to City Council Public Hearing)

There are no minutes.

Referred to the City Council due back on 9/19/2018

- 6 [RLH TA 18-448](#) Ratifying the Appealed Special Tax Assessment for property at 82 MOUNDS BOULEVARD. (File No. J1811B, Assessment No. 188112)

Sponsors: Prince

Approve; no show.

Referred to the City Council due back on 9/19/2018

- 7 [RLH TA 18-441](#) Ratifying the Appealed Special Tax Assessment for property at 585 UNIVERSITY AVENUE WEST. (File No. VB1811, Assessment No. 188818)

Sponsors: Thao

Peter Ratsamy, Ratsamy Realty LLC & William Ford, Attorney, appeared.

Supervisor Joe Yannarely:

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: Ratsamy Realty LLC

Type of Order/Fee: VB Registration Notice

Nuisance: unpaid VB fee

Date of Orders: Registration Notice sent 2/27/18; warning letter 3/29/18

Work Order #: 18-031567, Inv # 1356754

Returned Mail?: No

Comments: VB CATEGORY 1 COMMERCIAL OPENED 2/26/18

History of Orders on Property: Many

Ms. Moermond: what's going on?

Mr. Ford: we don't understand the determination of the VB; this property has been rented since 2014 by Wireless Target; then it became PQH Wireless; they had a Cricket telephone business that closed last Dec but they continue to pay rent & maintain the property because they still have stuff in there (a safe, different security stuff, there were still doing some roofing work); I was in there with them- Mr. Ratsamy gave them Notice on Jul 18; in our mind, the bldg has never been vacant

Ms. Moermond: wondering why you didn't appeal it when it was declared to be a VB back in Feb when the Certificate of Occupancy was Revoked? That's when we usually talk about whether or not a bldg should be in the VB Program; now, we're talking about the VB bill

Mr. Ford: we've been going back & forth with the city - how to bring it up to code; Peter thought the tenant should do the work per their lease & we were waiting for the tenant to take action; had communication problems with the tenant

Ms. Moermond: so, how is this not a private matter between Mr. Ratsamy & his tenant?

Mr. Ford: well, it is at this point; we're in the process of suing out the rest the lease but that doesn't change the fact that the tenant was in there; they just had removed most of their fixtures; they were still using the bldg

Ms. Moermond: once the C of O is Revoked, the bldg can't be used until it's re-instated; at the very least, the bldg should not have been in operation since that Revocation (Feb 26, 2018); history?

Mr. Yannarely: in the last 6 months - 2 snow walks (Kalis' notes)

Ms. Mai Vang: tall grass & weeds in Jun; a lot of complaints but were resolved

Ms. Moermond: you're looking for a new tenant & then, you'd want to get your C of O re-instated & you're suing out the lease

Ms. Mai Vang: there were 3 items on the deficiency list: 1) clean the bathroom vent fan; repair/replace vent fan as needed; 2) exterior surface must remain free of initial marks, symbols, inscriptions, drawings; needs fresh paint; 3) main floor ceiling tile: replace the missing/damaged ceiling tile

Ms. Moermond: sounds like it was Revoked for long term noncompliance

Ms. Mai Vang: appointment 5-15-17; first letter Sep 18, 2017; 2nd letter Nov 27, 2017; Revoked Dec 5, 2017

Ms. Moermond: it was a little more than 6 months the city was waiting for repairs to be done
-the C of O Responsible Party would be getting the Notifications

Ms. Mai Vang: it went to Peter Ratsamy, 291 University Ave W

Ms. Moermond: so you were getting those letters/notices

Mr. Ratsamy: I probably misunderstood because I still had the tenants in there & I thought it was the responsibility of the tenants; & I didn't show up for the first hearing because again, I thought the tenants would be taking care of that

Mr. Ford: of the 3 things on the list, are they fixed or are you working on those?

Mr. Ratsamy: yes

Ms. Moermond: the C of O was Revoked back in Dec 2017 & a lot of things can happen in a bldg, especially on that isn't occupied over a period of 8 months; so, when you get a Fire C of O inspector out there again to hopefully, re-instate your C of O because things are in good shape, there might be different things that came up during the interim & they would need to be dealt with
-you've been in the VB Program for 6 months of the year

Mr. Ratsamy: I still have the tenants in there

Ms. Moermond: so, you're renting a bldg without a C of O?

Mr. Ford: no one is operating a business in there; the business left

Ms. Moermond: I suggest you get your C of O re-instated
-I will approve this VB fee; you've been in the Program for 6 months
-City Council Public Hearing is Aug 22, 2018

Approve the assessment.

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

- 8 [RLH TA 18-458](#) Ratifying the Appealed Special Tax Assessment for property at 769-771 UNIVERSITY AVENUE WEST. (File No. J1811B, Assessment No. 188112)

Sponsors: Thao

Mandy Pant, PPL Adyc, appeared.

Mandy: I came here to find out about this; I'm not appealing

Supervisor Joe Yannarely:

Cost: \$15

Service Charge: \$157

Total Assessment: \$177 (no police call)

Gold Card Returned by: Representative of PPL Adyc

Type of Order/Fee: Boarding (ordered by Mike Kalis)

Nuisance: open & re-secure one door

Date Work Done: 4/12/18

Work Order #: 57841

Returned Mail? No

Comments:

History of Orders on Property: there's a lot of activity here; it's a dumping playground

Ms. Pant: we put a fence up & people push the fence down & back up & dump

Ms. Moermond: will recommend approval

—

Approve the assessment.

Referred to the City Council due back on 9/19/2018

- 9 [RLH TA 18-414](#) Ratifying the Appealed Special Tax Assessment for property at 319 COTTAGE AVENUE EAST. (File No. VB1812, Assessment No. 188819)

Sponsors: Brendmoen

Blia Xiong, owner, appeared. (Mai Vang interpreted.)

Ms. Moermond: this is a follow up hearing on a VB fee; we had a fire here

Supervisor Joe Yannarely:

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: Blia Xiong called RE Office

Type of Order/Fee: VB Fee

Nuisance: unpaid VB fee for 2017

Date of Orders: Registration Letter sent 11/8/17, Warning Letters sent 2/6/18 and 4/9/18

Work Order #: 17-211925, Inv # 1340756

Returned Mail?: No

Comments: CATEGORY 1, VB OPENED 11/7/17; 11/8/17: 90 DAYS FEE

WAIVER DUE TO FIRE; 2/6/18: CONTINUE FEE WAIVER 60 DAYS. WAIVER END DATE 4-7-18

History of Orders on Property:

-as of now, it appears that there's multiple active permits, pulled Jul 23, 2018 (electrical, mechanical, warm air); Jul 30, 2018 (plumbing)

Ms. Moermond: back on Jul 10, we talked about 2 things: 1) VB fee; you talked to the insurance company about that & they said it wasn't their responsibility; and 2) the landlord for where you're living right now on Jenks was asking you to leave but they hadn't actually filed eviction papers, so, we referred you to SMRLS

Ms. Xiong: SMRLS said they'd call me back within 24 yours but I have not gotten a call back from them; I spoke to the contractor & he said that he'd talk to the landlord of 705 Jenks; contractor said they'd be done in Aug but I don't think that they will be done in Aug

Ms. Moermond: the city is getting mail back from Judy Adams, owner of the 705 Jenks, where you're living now

Ms. Mai Vang: she says that the landlord is not living at 705 Jenks

Mr. Yannarely: looks like Judy lives in Lino Lakes but says that she's homesteading 705 Jenks; the C of O says: Judy Adams, 705 Jenks

Ms. Moermond: has she received an Eviction Notice re the Jenks property or anything?

Ms. Xiong: No; the contractor's been talking to Judy about letting them stay until the end of Aug; the insurance company is State Farm, contact: Michelle (her phone # is in the car)

Ms. Moermond: this has been in the VB Program for more than half a year; you've already gotten a fee waiver for 6 months already-that the insurance should cover; I think that SMRLS could help in both situations

Ms. Xiong: State Farm is really pushing the contractor; they've been paying me to live elsewhere

Ms. Moermond: good

-I will recommend that the Council approve this assessment payable over 5 years; we're way over 6 months

-we can get SMRLS on the phone for you & make sure that they are aware of both parts of the situation; maybe they can help to get things squared away; stick around

Ms. Xiong: she feels that she shouldn't have to pay this fee because of the contractor lagging behind

Ms. Moermond: unfortunately, this connects to the property, not to the responsible party - it's a private matter; she needs to argue it out with whomever she thinks should pay for it; it would help if her attorney made a call on her behalf; is she low income?

Ms. Mai Vang: she may because she's the only one working; there are 7 in her family

Ms. Moermond:

Approve the assessment & spread over 5 years. (Appellant referred to SMRLS)

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

10:00 a.m. Hearings

Special Tax Assessments - 10:00 A.M. (CRT, G, T, V & LO A)

- 10 [RLH TA 18-456](#) Deleting the Appealed Special Tax Assessment for property at 293 FRONT AVENUE. (File No. J1809P, Assessment No. 188409)

Sponsors: Brendmoen

Delete; graffiti waiver on file.

Referred to the City Council due back on 9/19/2018

- 11 [RLH TA 18-404](#) Ratifying the Appealed Special Tax Assessment for property at 50 HATCH AVENUE. (File No. J1810E, Assessment No. 188318) (Public hearing to be continued to October 17)

Sponsors: Brendmoen

Xin Zhou, owner, appeared.

Ms. Moermond: looks like this was originally scheduled for Jul 10, 2018 & re-scheduled for today; it is an Excessive Consumption of Code Enforcement services

Supervisor Joe Yannarely:

Cost: \$122

Service Charge: \$35

Total Assessment: \$157

Gold Card Returned by: XIN ZHOU

Type of Order/Fee: EC between Jan 22 to Feb 16, 2018

Nuisance: EC 3 OR MORE FOUNDED COMPLAINTS WITHIN A 12 MONTH PERIOD.

*Date of Orders: 01/25/2018: *Compliance Recheck - Found overflowing garbage containers in the backyard - photo taken for SA and \$122 EC Code M.*

Garbage/Rubbish (Summary Abatement)

Compliance Date: 1/29/18

Work Order #: 17-017815 Inv # 1352053

Comments:

History of Orders on Property:

03/09/2017 : SA Printed: 03/09/2017

08/10/2017 : SA Printed: 08/10/2017

08/16/2017 : 08/16/2017 Garbage Rubbish WO created: PA 17-070526

Remove pile of scrap wood near the garage and alley.

09/28/2017 : SA Printed: 09/28/2017

10/03/2017 : 10/03/2017 Garbage Rubbish WO created: PA 17-201344

Remove contents of overflowing garbage and recycling containers, garbage bags, rubbish, recycling materials, etc., from the Southwest end of the property.

10/11/2017 : SA Printed: 10/11/2017

01/25/2018 : SA Printed: 01/25/2018

Mr. Zhou: we were not notified; I became the owner on Jul 21, 2017; I received only 1 Notice since I became the owner; that was the Sep one; didn't get the one before that

Ms. Moermond: I see 1 Order attached-the Jan 25, 2018; it was sent to you; so, you're saying that you don't want to be responsible for the previous owner not cleaning up things?

Mr. Zhou: I can only be responsible when I'm the owner; I have no control when I'm not the owner

Ms. Mai Vang: Oct 11 SA: notice went to: Occupant; Ku Vang, 50 Hatch; Ken Zhou, 19151 Broadmoore Dr, Eden Prairie

Mr. Yannarely: Sep 28 SA: notice went to: Ku Vang, 50 Hatch; Ken Zhou, 19151 Broadmoore Dr, Eden Prairie

Mr. Yannarely: Aug 10 SA: notice went to: someone else

Ms. Moermond: we have 3 cases where Orders were mailed to you (Sep, Oct & Jan); each has a Broadmoore address
-any indication of returned mail?

Mr. Yannarely: don't see it

Ms. Moermond: asked Mai Vang to print the SA Orders from Sep, Oct & Jan for Mr. Yang
-I'm going to recommend approval because these were all under your name & mailed to you via first class

---Paused while Mai Vang printed past Orders---

(went on to the next case but came back to this one afterward.....)

Ms. Moermond: you should have in your hand the SA Orders that were in question

Mr. Zhou: I want to go over what was actually wrong on each one: this is an Excessive Consumption for city services - Chap 34.104 of city code: that's just not a description of me; it's not me; I'm looking at the details of each case:

-Aug one - I didn't get that one

-Sep 28 - I got that but I was on vacation so I called the inspector right away when I came back; garbage on the ground; the garbage company came late; so, I paid that

-Oct 3 - this is the one I paid

-Oct 11 - Oct 18 - remove the tire near garage & alley, that's all; the tire was not from the tenant; it's from the neighbor; I called the inspector; he didn't have to do a re-inspection; it was cleared with the insp

-Jan 25 - cover wasn't closed on the trash container; no garbage on the ground

Ms. Moermond: I've got 4: Sep 28; Oct 3; Oct 11; & Jan 25; is that correct?

-all of those are actual violations

Public hearing continued to 10/17 and if no same or similar violation(s), will delete.

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

issues with vehicles)

Date of Orders: 2-20-18

Compliance Date: 3-1-18

Re-Check Date: 3-1-18

Date Work Done: N/A

Work Order #: N/A

Returned Mail?: No

Comments:

History of Orders on Property: Very long history on property (Feb 20; Jan 9; Dec 19, 2017; Dec 4, 2017; Jul, 2017; etc. junk vehicles)

Mr. Rodriguez: I'm handicapped & 84 years old; I've lived in my house for 54 years; I'm getting to be a little senile; I'd like to know why I'm getting picked on so much on the West Side of Saint Paul; the only reason, I find out, is because of my neighbor; I can't get along with him; all the other people around the neighborhood like me but because we had a little problem, he picks on me; who is perfect; if I want to snitch, I can go around on the West Side & check on peoples' yards but I don't get into no one's business; the only reason the inspectors come to my house is because they're being called; I'm getting hurt by him; he calls on other people; he sticks his nose in where it shouldn't be; I allowed him to come into my yard to take off 1 branch but he took off 4 branches & weakened my tree; I try to work with people and yet, they turn around & do this to me; I was born on the West Side & I'm Mexican & I'm glad to be a Mexican and I'm glad to be an American, too; as I get older now, I'm getting picked on

Ms. Moermond: tell me what's going on with the vehicles

Mr. Rodriguez:

-I have a son who's a drug addict; he had a lot of girlfriends & babies; I got him a good job - \$27/hour; I told him that he'd have to start paying his child support; so, he started working; he got his check & out of \$700, they gave him \$50 to live on; I suggested going to talk to the people & tell them that you can't live on \$50; he just keeps bringing his cars & leaves them there

Mr. Rodriguez grandchildren: we cleaned up all that; the cars are no longer there

Mr. Rodriguez: now, I've got to get my son evicted but the yard is clean again

Mr. Yannarely: there's been no calls since Feb

Ms. Moermond: if it stays clean thru Oct 17, 2018; I'll delete this assessment

Grandchildren: it's just him living in the house now

Ms. Moermond:

Public hearing continued to 10/17 and if no same or similar violation(s), will delete.

Referred to the City Council due back on 9/19/2018

17 [RLH TA 18-453](#)

Deleting the Appealed Special Tax Assessment for property at 1080 UNIVERSITY AVENUE WEST. (File No. J1809P, Assessment No. 188409)

Sponsors: Thao

Delete; graffiti waiver on file.

Referred to the City Council due back on 9/19/2018

Special Tax Assessments - ROLLS

- 18 RLH AR 18-58** Ratifying the assessments for Boarding and/or Securing services during April 2018. (File No. J1811B, Assessment No. 188112)
Sponsors: Brendmoen
Referred to the City Council due back on 9/19/2018
- 19 RLH AR 18-59** Ratifying the assessments for Vacant Building Registration Fees billed during January 10 to April 19, 2018. (File No. VB1813, Assessment No. 188821)
Sponsors: Brendmoen
Referred to the City Council due back on 9/19/2018
- 20 RLH AR 18-60** Ratifying the assessments for Vacant Building Registration Fees billed during October 17 to December 6, 2017. (File No. VB1814, Assessment No. 188822)
Sponsors: Brendmoen
Referred to the City Council due back on 9/19/2018
- 21 RLH AR 18-61** Ratifying the assessments for Fire Certificate of Occupancy Fees billed during February 22 to March 13, 2018. (File No. CRT1812, Assessment No. 188215)
Sponsors: Brendmoen
Referred to the City Council due back on 9/19/2018
- 22 RLH AR 18-62** Ratifying the assessments for Trash Hauling services during April 4 to 25, 2018. (File No. J1811G, Assessment No. 188711)
Sponsors: Brendmoen
Referred to the City Council due back on 9/19/2018
- 23 RLH AR 18-63** Ratifying the assessments for Excessive Use of Inspection or Abatement services during February 20 to March 21, 2018. (File No. J1811E, Assessment No. 188323)
Sponsors: Brendmoen
Referred to the City Council due back on 9/19/2018
- 24 RLH AR 18-64** Ratifying the assessments for Graffiti Removal services during April 3 to

May 22, 2018. (File No. J1809P, Assessment No. 188409)

Sponsors: Brendmoen

Referred to the City Council due back on 9/19/2018

11:00 a.m. Hearings

Summary Abatement Orders

- 25 [RLH SAO 18-52](#) Appeal of Ken Hamblin to a Summary Abatement Order at 889 EUCLID STREET.

Sponsors: Prince

Deny the appeal. Enforcement is stayed until after Council public hearing.

Ken Hamblin appeared.

Code Enforcement Supervisor Lisa Martin reported that on July 25, a summary abatement order was issued by Inspector Hoffman to the property owner of 889 Euclid Street to remove all improperly stored items throughout the rear yard with a compliance date of July 31. Photos are attached to the file.

Ms. Moermond asked about Mr. Hamblin's plans, given the large volume of materials.

Mr. Hamblin said they had gotten a lot done. They had 2 auctions and gotten rid of most of his father's "little stuff," but now they are dealing with the "estate" type of stuff, as well as some of his own stuff.

Ms. Moermond commented that although a lot of stuff is gone since the last time she saw Mr. Hamblin, a lot of things still remained, almost all of it under tarps. It looks like the entire yard is covered and there would be no need to mow the yard. The photos were taken July 31st.

Mr. Hamblin said it was mostly cars, which are antique and a couple of trailers. We are trying to get rid of them now. The trailers are in use to help get rid of stuff. There is a boat in process of selling.

Ms. Moermond asked about his plan. She noted that the vehicles were clearly not parked on approved surfaces, because they are parked throughout the yard. Mr. Hamblin responded that only one vehicle was on an unimproved surface.

Ms. Moermond asked what kind of extension he was seeking. Mr. Hamblin said the reason he filed the appeal was he is now healthy, back to work and has income to get these things done. Would like 14 days.

Ms. Moermond said she would recommend the Council deny his appeal, but she would wait to put it in front of the City Council until September 5, so he really has 4 weeks until they officially decide it. Enforcement is stayed until then. If it's not done at that point, then the Department of Safety and Inspections can take action to clean out the yard.

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

- 26 [RLH SAO 18-51](#) Appeal of Michael/Lily Schultz to a Summary Abatement Order at 652 HALL AVENUE.

Sponsors: Noecker

Deny and grant extension to November 20, 2018 to remove the temporary structure.

Making Finding resolution to be heard on November 20 Legislative hearing and November 28 Public Hearing.

Michael and Lily Schultz appeared.

Code Enforcement Supervisor Lisa Martin reported that a summary abatement order was issued on July 13 to remove an unapproved temporary structure from driveway. The building official is in charge of what is allowable for temporary structures in the city.

Ms. Moermond said it looked like a Rubbermaid shed. Do you have it screwed into the ground? Mr. Schultz answered that it was not, but that there was a thousand pounds of tools in it and that it wasn't going anywhere.

Ms. Moermond said they were appealing the order and if what they wanted was to keep the shed where it was.

Ms. Martin clarified there was a second black tarp type structure that was the one in question. Mr. Schultz said this was anchored to the ground. This is where he keeps the grass cutting and snow blowing tools and equipment. He said he does a lot of grass work and snow work for the neighbors. He had a stroke over the winter.

Ms. Schultz added that they were confused, because it said unapproved surface and they didn't know how to get it approved. Ms. Moermond responded that the phrasing wasn't helpful, as the temporary nature of the structure was the problem. Under the code, temporary structures can only be in place for 6 months and tent-like structures are considered temporary buildings.

Ms. Moermond commented that it appeared the Rubbermaid shed would not accommodate what was in the tarp structure and confirmed that there was no garage at the property. Mr. Schultz replied there was no garage and it was a very small property.

Ms. Moermond indicated the tarp structure would need to come down, but wanted to give a lengthy extension so they could get help with the project. She said she will recommend that the city council grant an extension to November 20 for the temporary tarp structure's removal.

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

- 27 [RLH SAO 18-53](#) Appeal of Kenneth Rowe to a Summary Abatement Order at 1094 MARION STREET.

Sponsors: Brendmoen

Deny and grant extension to November 1, 2018 to remove the temporary awning structure.

Making Finding resolution to be heard on November 6, 2018 Legislative Hearing and November 14 Public hearing.

Kenneth Rowe appeared.

Code Enforcement Supervisor Lisa Martin reported that a summary abatement order was issued on July 19 to remove an unapproved temporary awning structure from the back yard with a compliance date of August 20th. It seems like there's been some confusion in this case about what is considered a temporary structure and what is not, there have been a number of phone calls back and forth. The building official is in charge of what is allowable for temporary structures in the city. Inspector Martin also said Mr. Rowe had sent in a copy of an approved parking plan which includes statement that there is a "temporary canopy." So, again it is temporary. Inspector Martin read from an email from the Building Official Steve Ubl on this matter:

"I spoke with a gentleman named Kenny last week to discuss the temporary structure at 1094 Marion Street. The section of the building code stated below explains to us that even though a permit may not be required for specific work that is to be completed, the work must still be completed reflecting the provisions of the building code. I explained to him the example of installing hand rails or guard rails on a deck that is less than 30" above grade and/or has less than four risers in a stairway. A building permit is not required to install the hand rails or guard rails in this particular scenario BUT the components must still be installed using the provisions of the code because it must be safe for the consumer.

Section 1300.0120, Subp 4 of the 2015 Minnesota Residential Code states:

Exceptions from permit requirements of the code do not authorize work to be done in any manner in violation of the code or any other laws or ordinances of this jurisdiction.

The photos I have seen identify a temporary structure at 1094 Marion Street that does not have the required wind load protection and I cannot see if the membrane is an approved material with NFPA labeling. This structure is not allowed to remain as it is unless he can provide documentation that supports the building code requirements."

Ms. Moermond asked for more information on the site plan. Inspector Martin said that on July 30, 2018 a parking plan was approved with a temporary 10' by 20' canopy.

Ms. Moermond went on to say that when she originally reviewed Mr. Rowe's appeal, she noted that a number of DSI staff had interacted with Mr. Rowe and she wanted to know if conclusions were drawn. The email from Mr. Ubl provides that.

Ms. Moermond asked what Mr. Rowe was looking for in his appeal. He said he agrees this is temporary structure and it was only to be used during the summer months. As the site plan reflects, it will be down by November 1st. It's used to protect a motorcycle with a sidecar. So it's less than 180 days and it's temporary. It's only been up since the end of June. So, he got the summary abatement 40 days after it was up. Minnesota Building Code says that temporary structures (180 days or less) has to follow that, anything up longer has to follow the International Fire Code, which says anything 400 square feet needs permits and compliance and anything less than that they don't cover. This is a 200 square foot awning, not a canopy, because it's not attached to the house.

Ms. Moermond asked what kind of fabric it was and Mr. Rowe answered vinyl with a metal frame. She asked how it was affixed to the ground and he answered with ropes

and ground anchors. Mr. Rowe went on to say that the Building Official was interpreting this that any canopy-like structure has to abide by wind loads, and Mr. Rowe does not believe that to be true. He went on that using this logic canopies for art shows, etc. would need to be approved and they aren't.

Ms. Moermond brought up how holiday lights can be hung over several months outside, but they are not acceptable for multiple year use, because the materials degrade. The same logic could be applied to this temporary structure, where there is the possibility for the materials to degrade and require replacement. There was further discussion of NFPA labeling and the appellant wasn't aware of any, but didn't believe it was applicable in any case.

Ms. Moermond summarized and indicated she would be happy to recommend that the City Council grant an extension to November 1 for the removal of this temporary canopy structure, which seems to be consistent with the appellant's plans.

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

Making Finding

- 28 [RLH SAO 18-54](#) Making finding on the appealed nuisance abatement ordered for 1940 FAIRMOUNT AVENUE in Council File RLH SAO 18-40.

Sponsors: Henningson

Supervisor Lisa Martin: I sent you photos (AMANDA); there's an area that still has some tall grass/weeds; there's still some buckets in the driveway; she has started the sidewalk project in the back; I have no idea when she intends to complete that project

Mai Vang: pulled up the Resolution for 1940 Fairmount Avenue (SAO 18-40): The LHO recommends that the City Council grant to Aug 6, 2018 for the Summary Abatement Order

Ms. Moermond: Aug 6 was yesterday; viewed photos in AMANDA; sees some bricks beside the bldg lying the by the bush; sees some incomplete 4 ft high L-shaped kind of thing by the back of the house

Ms. Martin: I'm assuming that's part of her project - she's adding a 2nd story & rear stairs

Ms. Moermond: OK

Ms. Martin: there's still buckets around that area

Ms. Moermond: there's buckets by the garage with the yard waste; there's a garbage can with sticks in it; there's tall grass/weeds beside the garage

Ms. Martin: she mowed most of the lawn but at the very end of the driveway, she left a large patch of tall grass/weeds

Ms. Moermond: goes to City Council next week, Aug 15, 2018; I'm going to recommend that the Council make a finding that the nuisance conditions were not abated and the Department of Safety & Inspections (DSI) is therefore authorized to abate the nuisance beginning on Aug 16, 2018

Nuisance has not been abated.

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

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 29 [RLH VO 18-36](#) Appeal of Amy Andree to a Correction Notice - Complaint Inspection & Vacate Order at 1029 BURR STREET.

Sponsors: Brendmoen

No Show Hearing.

Fire Supervisor Leanna Shaff: electricity is still off as of this morning; we're going to enforce the VACATE

Ms. Moermond: the Vacate was actually scheduled for Jul 27, 2018; we will put it in front of City Council on Aug 15, 2018; I will recommend that they be given until Aug 15, 2018 to restore the electricity

Ms. Shaff: that gives them 2 months without electricity

Ms. Moermond: I understand; I have to deal with the due process; if not restored, the property must be Vacated no later than 8 am on Aug 16, 2018

Deny the appeal and grant to August 15 to restore electrical service or the property must be vacated by August 16, 2018.

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

- 30 [RLH VO 18-37](#) Appeal of Charnell Hudson to a Correction Notice - Complaint Inspection Condemnation and Order to Vacate at 134 ELIZABETH STREET EAST.

Sponsors: Noecker

Charnell Hudson, owner, appeared.

Ms. Moermond: multiple code violations including gross unsanitary conditions; the unit needs to be vacated & there's other Orders -you didn't say why you were appealing

Fire Supervisor Leanna Shaff: on Jul 24, 2018, our office received a complaint for 134 Elizabeth St E that there was mold over the unit; kitchen faucet doesn't work; sink is off the wall; only cold water in downstairs bathroom; mold in sink; upstairs bedroom door missing; some outlets not working in living/dining room; windows don't close in some of the bedrooms; photos taken by Insp Brian Schmidt; the bldg doesn't have a Fire C of O; Insp Schmidt noted 27 deficiencies, including the lack of a Fire C of O, one that had not been applied for; this used to be owner-occupied

-the pictures speak loudly

Ms. Moermond: what's going on now, do you live here?

*Ms. Hudson: this is my house & it's been owner-occupied ever since 2015; recently, I've been staying with my boyfriend; I've been kind of estranged from my family; one of my cousins who's 24 years old with 6 kids was staying in a car; so, because I wasn't staying at the house, I let her stay at my house
-my boyfriend's lease was coming up Oct 31, 2018; so, I would be moving back into my house; so, I called my cousin & stated that they would have to move; she had said that it would only be a few months & it's been a little longer than that; and she kept saying that I needed to give her a 30-day Notice; I found out that the only thing I could do at this point was to evict them to get my place back; I went downtown & filed for Eviction; I sent her a letter, certified mail on the 17th & said, "If you're out beforehand, I don't have to spend the extra money to have this taken care of; I'll give you X amount of days to be out;" she didn't do that & so I filed the Eviction & had it served on the 23rd; she called on the 24th; so, all this damage that's done, she had done it; I've been here before; it was totally up to code; I had Safe Haven come out & put up Smoke/CO alarms in 2016; my cousin's family tortured the house & they've been living there for probably 6 months*

Ms. Moermond: I'm seeing damage that I could see could have been done in the last 6 months; some damage comes before that 6 months like: a section of ceiling-looks like water damage

Ms. Hudson: we had patched that up but it's not up to code, I can see that

Ms. Moermond: I'm also looking at the problems around the bathtub - more than 6 months ago

Ms. Hudson: that cabinet is a brand new cabinet; it had to be thrown out

Ms. Shaff: noted that the house is not occupied now

*Ms. Hudson: no; it is not; when Brian went in, he called me & said that they had left the door wide open; & they left everything in there; some things-they were just being malicious; Brian told me to come over & secure the house, which is what I did
-I've circled the things that I've done already & some of the things that I've already bought; I go there every weekend because I work Mon-Fri; my daughter is going to college at the end of the year, so I was going to ask for an extension to Sep 15, but if you want me to have it sooner, they can come out sooner
-I've spent over \$500 removing all the trash in there & I cleaned the house completely; he came out on the 21st; I did that the very next Sat; I also purchased CO/smoke alarms; I re-keyed the doors; I also went to court to make sure that they couldn't come back; I followed thru on the Eviction
-there were black flies in the house due to all the baby diapers all over; as soon as I removed all the trash, they were gone; I bought new cabinets to put into the unit
-I'm asking for some time to get the house organized; I wasn't trying to use it as a rental unit; I was trying to help a family member and it just did not work*

Ms. Moermond: what's frustrating me about this particular case is that they were probably the worst possible neighbors

Ms. Hudson: it's a dead end street; I'm moving back in when it's up to code

Ms. Shaff: I'm having difficulty with the fact that you didn't know about the Fire Certificate of Occupancy Program & a few years ago to get it to reach minimal code compliance

Ms. Hudson: I didn't say that I didn't know about the Fire C of O; I knew it was a relative so I didn't think it was a rental - it wasn't a tenant; I know how to do rental applications, etc; & that's not what I did; this was a family member - homeless, sleeping in a car; I was trying to help

Ms. Moermond: the Fire C of O applies to non-owner occupied structures; we talked about this explicitly because you did a Re-Purchase application, if I remember correctly; at that time, the county needed to have a C of O on the bldg & you were working on the repairs then; so, we had a chance to talk about that

Ms. Hudson: I fixed all those things; & I never changed my address; all the utilities are all still in my name; that was not going to be a long term thing

Ms. Moermond: so what are you going to do with the property moving forward?

Ms. Hudson: I'm moving back into the property when it's up to code

Ms. Shaff: Vacant Buildings has opened a file as a Category 2 as of Jul 24, 2018; Insp Schmidt's notes: he turned it over because it didn't have a C of O

*Ms. Moermond: should or shouldn't this have been Condemned based on the conditions that I'm looking at? It's clear to me that the Condemnation was appropriate given the bldg conditions at the time of the inspection; what you're asking is, "Can I have a short period of time to do the repairs so that I can get the Condemnation lifted & it doesn't have to go into the VB Program;" you want to get back in again; the city is saying that it should go into the VB Program & it should get a Code Compliance Inspection - you'd have to come up to minimum standards for all the trades' areas; the other way we could go is to say, "if you come into compliance with these Orders, it could be re-occupied;"
-these Orders cover a broad span of kinds of violations that need to be dealt with (bldg, plumbing, electrical permits would need to be pulled)*

Ms. Hudson: a sink needed Drano; upstairs, they literally turned off the water so all I had to do is turn the water back on; most things I see are cosmetic & simple cleaning; smoke/CO alarms; some were just torn off the wall

Ms. Shaff: there seems to be Summary Abatement Orders (Apr, May - a lot going on here); seems to me Ms. Hudson had people move into the property & kind of forgot about it

*Ms. Moermond: I'm inclined to deny your appeal & allow this to go into the VB Program as a Cat 2; but I'd like current info to put in front of City Council; I'd like a re-inspection between now & Aug 15, 2018; add photos to the document; based on that I may change my recommendation to getting the Fire C of O re-instated or turning the Orders over to Code Enforcement for follow-up
-in the meantime, it cannot be occupied
-I'm concerned about the walls, plaster problem, water damage, primed over*

Ms. Shaff: any work that needs a permit, you need to hire a professional

Ms. Hudson: entered receipts/documents to be scanned

Ms. Moermond:

Forthcoming, pending result of August 15 inspection.

LHO reviewed the August 14 Correction Notice and accompanied photos and recommended denial of the appeal.

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

- 31** [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

Grant the appeal on the condemnation and order to vacate as the power has been restored and grant to October 9, 2018 to come into compliance with Items 3 (defective exterior walls) and 4 (roof repair). (These orders were issued during old owner and it's his responsibility to bring this Order to the new owner.) No one appeared.

MINUTES PENDING.

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

- 32** [RLH VO 18-38](#) Appeal of Lindsey Haasl to a Fire Certificate of Occupancy Revocation and Order to Vacate at 644 ROBERT STREET SOUTH.

Sponsors: Noecker

Lindsey Haasl, manager, Main Street Renewal, appeared.

Ms. Haasl: everything's done & we'll pass the inspection next Wed; it was just a matter of.....

Fire Supervisor Leanna Shaff: Fire Certificate of Occupancy Inspection conducted by Insp Daniel Klein; basically, it was Revoked/Order to Vacate for long term noncompliance

Ms. Moermond: I have an original Smoke Detector Affidavit

Ms. Shaff: I have a copy; Jul 18, 2018 Orders: chipped/peeling paint on garage; remove guardrails from around egress window wells; strong odor of urine in basement; extension cords on interior; obstructions on at least 1 window in each bedroom; replacing missing hard-wired smoke alarm; smoke detector affidavit

Ms. Haasl: basically, I just couldn't rely on contractors; one of them submitted a bid to re-paint the garage & they just didn't do the work; the vendors thru Vendor ____, the software system & they were actually closing out the Work Orders without completing the work & then trying to invoice for it; so, to me it looked like everything was done; then, I'd follow up with my residents & they said that the vendor called but never showed up

-I'm running the entire branch alone - it's 90 homes & this is my first property that had issues; since we got the Order to Vacate, it got on my supply chain's radar, Austin TX & of course, the same day, I had 4 vendors to do my maintenance for me; as of last

week, everything's been completed; I have photos
-I'll be there for reinspection Aug 15; no doubt it'll pass inspection

Ms. Moermond: reinspection Aug 15; City Council Public Hearing Aug 22, 2018; you should have everything done; if not, I'll ask the Council to change the date to Oct 1 to get it done

Grant to August 15, 2018 to comply with the revocation and order to vacate order. If not in compliance, the property must be vacated by October 1, 2018.

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

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 33 [RLH FCO 18-139](#) Appeal of Andy Jadoo to a Correction Notice - Re-Inspection Complaint at 330 BURGESS STREET.

Sponsors: Thao

Rescheduled to August 14, 2018 per owner's request.

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

- 34 [RLH FCO 18-131](#) Appeal of Joe Fine/Bob Fine to a Correction Notice - Re-Inspection Complaint at 690 CLEVELAND AVENUE SOUTH.

Sponsors: Tolbert

Grant the appeal based on Building Inspector Michael Palm's inspection. (The ramp is still in very good condition after owners made repairs a couple of years ago).

Mr. Joe and Mr. Robert Fine appeared.

Fire Inspections Supervisor A.J.Neis provided a report indicating this is a Fire Certificate of Occupancy Correction Notice in response to a complaint received for 690 Cleveland Avenue South. The complaint read that the railings were deteriorating and the side panels falling off and that the electrical box on the side of the ramp had become loose. It appears the complaint is from someone who has need for or has used the ramp. Inspector Migdal inspected and the pictures do show deterioration. Inspector Neis noted that in 2016 this same ramp had orders which were appealed. Repairs were made under permit at that time. Inspector Neis went on to say there had been further modifications since the permit was finalled, including adding boards over the existing decking.

Mr. Robert Fine said that it is one person who seems to constantly call the department. He went on that when they appealed in 2016, it was totally the floor of the ramp. They did it new, it is not deteriorated. The inspection report doesn't even mention the flooring. This inspection is about the panels and when we were notified we did the repairs. He also said they had been through a full Fire C of O inspection in 2017 and passed. What we're looking at today is some flaking paint.

Mr. Neis interjected that the cross pieces for the paneled areas provide some level of structural support.

Ms. Moermond concluded that she would ask Sr. Building Inspector Mike Palm to take a look at the ramp, as he was the building inspector who signed off on the permit in 2016. His report can be shared with the Fines and if a second Legislative Hearing is required or requested, it can be scheduled.

Recommendation pending.

FOLLOW-UP 8/9/18: Sr. Building Inspector Mike Palm reported the ramp was in good condition and not in need of correction orders. Legislative Hearing Officer recommends the appeal be granted.

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

35 [RLH FCO](#)
[18-137](#)

Appeal of Elinor Daleiden to a Correction Notice-Complaint Inspection at 69 MILTON STREET NORTH.

Sponsors: Thao

Elinor Daleiden appeared

Fire Supervisor AJ Neis:

-A Fire Certificate of Occupancy Correction Notice to the Milton Place Condo Association by Fire Inspector Laura Huseby

-matter is complicated, deficiency is to provide a horn and strobe and some tampering devices for the sprinkler system that is in the building

-this is a 4 unit dwelling that used to be an I occupancy

-received a call from the Condo Assoc and I got a very generic question about the bldg: we have a fire alarm system in our bldg, it's a 4 unit dwelling and 2 stories and are we required to have one?

-I said no because they're not as now it's an R2 occupancy.

Ms. Moermond:

-Answering the question as an R2?

Mr. Neis:

-Correct. And it would not be required nor are they required to. With that I didn't ask if they have a sprinkler system which these building typically don't nor did they provide that information to me. I answered the question as it was presented to me so I told them no and so it was taken out. Little to note, what we didn't know is it indeed has a sprinkler system which then it would required to be monitored.

-in theory, if all 4 residents are not home and a sprinkler head goes off, there is a notification to the Fire Dept. via the alarm system that there is a water flow activation which then they can go respond.

-It has to be monitored.

Ms. Moermond:

-asking what is the difference between a monitored and a full blown fire alarm system?

Mr. Neis:

-there are some exception to the building of this age; a flow or tampered horn strobe outside of the bldg, not a full blown monitoring system notifying that there is a water

flow going off somewhere in the bldg
-they are appealing for this

Ms. Moermond:

-Is that one solution of a couple of options in way to gain compliance or is that minimal gain to compliance?

Mr. Neis:

-that is the minimum way to gain compliance or full blown fire alarm system

Ms. Moermond:

-asking why appealing and what are they looking for

Ms. Daleiden:

-we are appealing the monitoring system. We did have the strobe installed so that part is completed. We had an email that was recommended to have the monitoring system and then we got this notice that we need to have a monitoring system, fire sprinkler flow and tampering switches.

-We are objecting to this because it's a \$4,000 cost estimation in this 11 yr old bldg

-never had it before and why now

-we want to maintain the property but it's high

Ms. Moermond:

-Mr. Neis, the horn and strobe locator, can you distinguish the item in 1 vs. 3.

-how do those 2 orders connected.

Mr. Neis:

-what she is talking about is to get it monitor is to get the full tamper switches which hook up to a monitoring company.

-they wouldn't have to install a full fire alarm system which would include putting in smoke alarms inside each level of the home from the boiler room, etc.

- we are asking that the horn strobe be attached to a flow tampering switch which then is monitored by the fire alarm company; not asking them to put in a full fire alarm system.

-they now have the strobe, now a matter of getting the fire control panel which is like the brain without having all the additional.

-The tamper switch is inside the sprinkler system. that tamper switch send a signal to the brain which is the box which sends a signal to the fire dept.

-It used to have a fire alarm system which was attached for the monitoring system

Ms. Moermond:

-asking when it was removed

Mr. Neis:

-probably a year or two ago

-I gave the correct answer not knowing it had a sprinkler system.

Ms. Moermond:

-what happened a year ago?

Ms. Daleiden:

-early this spring we got notification that someone had retired and so we got a correction notice and met with Laura. She came and we met and she explained what she was looking for which we did do that

-had reinspection on June 21 and then got another letter about the horn and strobe locator and then we have a gas meter inside the bldg and it needed to have a post to protect it which we did. Then she wanted us to put a chain around the valves.
-thought everything was taken care and then we got another letter about the horn and strobe locator which we already did and then this monitoring system.

Ms. Moermond:

-to the May 23rd letter sent did not talk about the tamper switches, sprinkler system flow but the July orders do

Mr. Neis:

-our office got a call

-any time a fire alarm system is no longer receiving monitoring, we get a call by a monitoring co and that is how this came about.

-that order was after Inspector Huseby consulted with Fire Engineering Angie Wiese's staff

-she didn't know about it before

-this started out as a referral that says sprinkler system on May 18. I don't know how we got the complt.

Ms. Moermond:

-so it's about a \$4,000 job according to your estimate?

Ms. Daleiden:

-yes and about \$540 to monitor annually

Ms. Moermond:

-what did you do before?

Ms. Daleiden:

-we have people checked to make sure the system was cleared and make sure all water was out before winter came so it wouldn't freeze

-we got new compressor last year to make sure the whole sprinkler system works but didn't have any monitoring.

-Melanie can speak to fire alarm

Melanie Wehrmacher:

-the fire alarm system in 2016 was a standard semi annual inspection. My first inspecton since I lived at the building so I was new to it and I was not the tenant there when the inspection was done but was the tenant that dealt with the situation.

-What we rec'd from Mr. Cassidy were some items we completed except one we were not able to do because the company that our fire alarm system was no longer in business.

-last noted for that inspection was in the 1990 and all the wires had been cut so I assumed it had not been worked since the conversion of the building into condos in 2015. I went back to Mr. Cassidy perhaps he had told Mr. Stapleton who was doing inspection with him stating he wasn't not sure he needed this and will get back to him. We didn't hear from him and was directed to speak to Mr. Neis.

-I also came into the office and spoke to Mr. Neis and provided pictures of the alarm system in 2016. I admit I didn't mentioned the sprinkler system to him and assumed that that information would have gone through Mr. Cassidy. But the system as it stands, we have annual inspection from Viking Sprinkler System. We don't know now why everything is different.

Ms. Moermond:

-part of the 2016 orders was to provide required annual maintenance of the fire alarm system by a qualified person and provide written documentation to this office as proof of compliance

Ms. Wehrmacher:

- I was doing follow up on the fire alarm box. The fire alarm box was there in 2016. It was a red metal alarm piece and a pull box in the basement that was attached to some wires which were cut. When the occupancy changed, it was removed. The alarm system is gone but the fire sprinkler system is there. We had faulty with the compressor last spring and repair work was done on it.

Ms. Daleiden:

-I did meet with Viking to check on the compressor and there was a city inspector who accompanied Viking at that time and he assured me it was good for 5 years.

Mr. Neis:

*-right now they have a fully fire sprinkler system so far better protection than 99% of the residences in St. Paul. The challenge is that it's not being monitored. If accidental discharge then you are going to have a lot of unwarranted wire damage.
-asking if they have contacted their insurance co to see how they feel knowing it's a unmonitored system and the liability they want to carry*

Ms. Moermond:

-so the sprinkler head going off in event of fire, by accident, it discharges and eventually it should stop discharging where the fire is distinguished?

Mr. Neis:

*-no, it doesn't go off until someone shuts it off and that is when the fire alarm comes into place. Head goes off, send the tamper flow switch to the fire alarm, then activate inside the building then it sends a signal to a monitor co which then calls the fire dept.
-I should take some blame on this. I should have asked the right question.
-not opposing to have the fire sprinkler system*

Ms. Moermond:

*-I want to get into the code myself on this and look more deeply
-i will talk with Angie Wiese, head of Fire inspection
-if not granted, will give a long deadline
-continue for 2 weeks, will put something on the record, you may attend if you want to
-might send a letter before then if I have a finding*

Robert Prochnow, tenant:

*- just listening to the folks here, what would be the consequences of discontinuing the sprinkler system we have right now considering the fact that each individual unit has a hard wired smoke detector consistent in there and there are fire extinguisher in their individual unit?
-can you comment on this?*

Mr. Neis:

-I want to defer that much to Ms. Wiese for possible method of compliance.

Laid Over to the Legislative Hearings due back on 8/21/2018

2:30 p.m. Hearings

Vacant Building Registrations

- 36** [RLH VBR 18-52](#) Appeal of Nancy Eserkain to a Vacant Building Registration Renewal Notice at 1034 CHATSWORTH STREET NORTH.
- Sponsors:** Brendmoen
- Rescheduled to August 21 per owner's request.*
- Laid Over to the Legislative Hearings due back on 8/21/2018**
- 37** [RLH VBR 18-53](#) Appeal of Kaxiong Moua to a Vacant Building Registration Notice at 733 CASE AVENUE.
- Sponsors:** Bostrom
- Waive the vacant building fee for 90 days to get Fire Certificate of Occupancy reinstated.*
- Kaxiong Moua appeared.*
- Ms. Moermond indicated there were 2 things happening with this case – a fire certificate of occupancy revocation in June and then a referral to the vacant building program.*
- Fire Inspections Supervisor A.J.Neis provided a report indicating this is a fire certificate of occupancy revocation by Inspector Dan Klein working with Inspector Maicee Her Vang. In January sent letter to inspect, they didn't show up. The same thing happened in February. In April, it happened again, so the certificate was revoked for three no-shows. They did finally get in and there were basic things wrong, like the smoke and carbon monoxide alarms were chirping during the inspection. The lower unit was vacated. Some of the exterior work was not done. There was a note from the appellant indicating he was supposed to have done the work before he went on vacation. So, from Fire Inspection's perspective, this is long-term non-compliance and clearly an absentee landlord. This is the same pattern of no-shows Inspector Schmidt experienced a couple of years ago.*
- Ms. Moermond confirmed that the vacate date on the revocation was July 18.*
- Vacant Building Inspection Supervisor Rich Singerhouse indicated that was correct and his office opened a vacant building file on July 20, 2018. There was also a summary abatement order written at that time for rubbish in the back yard and overgrown bushes into the sidewalk and tall grass and weeds. There is no code compliance inspection report and no permits pulled.*
- Ms. Moermond looked at the orders issued in June to assess the types of building-related violations present at this property. In addition to what was already listed, there were window screens and a freezer listed.*
- Ms. Kaxiong Moua said she was appealing because her husband was going to do the work, but then didn't, so she wants time to hire someone to finish the work.*
- Ms. Moermond asked what her husband's continuing role with the property would be*

and if there would be more attention to showing up for inspections. She said it looks like both listed as responsible parties, so is Ms. Moua taking over. Ms. Moua answered yes. She confirmed there are no tenants there right now.

Ms. Moermond said she would recommend a waiver of the vacant building fee for 90 days, and if the Fire Certificate of Occupancy is re-instated in that time period, there will be no need for a code compliance inspection report. Ms. Moermond explained that code compliance inspections were much broader and more in-depth than the Fire certificate of Occupancy inspection, so doing that within the 90 days was definitely in her interest.

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