



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Tuesday, August 14, 2018

9:00 AM

Room 330 City Hall & Court House

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

Jared M. Goerlitz, Attorney, representing Bristol Properties & Lawrence Esso, All Area Management LLC, appeared.

Ms. Moermond: I got an email from you yesterday; we provided some feedback; you have some additional documentation here;

-I want to walk thru the conditions from Aug 2 letter: \$5000 performance deposit has been posted; Revised Detailed Work Plan/Sworn Construction Statement, including timelines completing the work (I had questions on this that I fed back to you); when Mr. Ronea was here, he presented a Work Plan of \$115,000 worth of work; you're saying that your client can do it for \$69,000; the city estimates the cost exceeding \$75,000; how is it that your number is substantially lower than Mr. Ronea's number?; what I got was a simple statement from the contractor

Mr. Goerlitz: Mr. Esso's here; he can probably answer a lot of those questions

Ms. Moermond: All Area Management LLC is the bid provided; is that replacing the previous bid?

Mr. Esso: \$69,000 is just for the general contractor work; when you add all the subs estimates, you get to \$115,000, exactly the same as Mr. Ronea's number; nothing has changed from the information he provided; we've provided the bids from electrical, HVAC & plumbing

Ms. Moermond: what is Mr. Ronea's role with the project now?

Mr. Esso: he was just a project manager that came in; unfortunately, I couldn't be here because.....

Ms. Moermond: have you accepted these bids? Do you have them signed? I would like to know that you are actually using them for the job

Mr. Esso: they are just bids; we will be using them for the job - they are contractors that we use time & time again

Mr. Goerlitz: the estimates come to approximately \$113,600

Ms. Moermond: there's a nice letter from Bridgewater Bank saying you have money but that's not what I was looking for; I want to actually see money in an account; you provided me with information about money in an account & an affidavit indicating you would be spending that money towards this project; it looks like you have the money; it looks like you have a strong balance; OK, so, we've got that -tell me about the title work you're doing

Mr. Goerlitz: Red Dirt LLC foreclosed on this property & right before the redemption period expired, it assigned the Sheriff's Sale but it transferred it to Bristol Properties LLC; if the recording system gets messed up, it gets delayed; long story short, from our perspective, the Sheriff's Sale assignment took place effective before the redemption period; we have to file a _____ anyway, post foreclosure; if a docking examiner agrees with my belief that the transfer was effective, we'll give Notice to anybody that may object but for all practical purposes, Bristol Properties LLC is in title; & we're in the process of finalizing that with the Examiner of Titles; this generally takes 30-45 days to get the examiner's report; that will say that we have to give a bunch of people Notice, etc. - then, 30 days after that, you've got an Order transferring title; (we've not received Notice from anyone else disputing our title)

Ms. Moermond: will this in any way affect the start time on the project?

Mr. Goerlitz: no; it has no bearing

Ms. Moermond: the only thing left in my mind is to get signatures on your bids; everything else seems to be in place; your City Council Public Hearing is scheduled for tomorrow, Aug 15, 2018; it may be difficult to get signatures from your contractors in that time; can you get them within a week?

Mr. Esso: yes; I think so

Ms. Moermond: I will recommend approval giving you 180 days provided you can get me those signed contracts within a week; If you don't, I can ask Council to recall the matter

-I want to look at the signed bids again to make sure they're still valid; get them to me before next Wed

-I'll see you again in 6 months to see if the nuisance condition has been abated

Remove or repair within 180 days on condition PO submits signed contractor bids prior to PH.

At the conclusion of the 180-day grant of time, the Council will receive a report from the Legislative Hearing Officer with findings on the status of the nuisance abatement; that a Legislative Hearing is scheduled for February 26, 2019 at which owners, interested parties and Department of Safety and Inspection staff will present information on the current building conditions and progress toward abatement of the dangerous/nuisance conditions and the resulting findings will be presented to the City Council at a public hearing on March 6, 2019 for its consideration.

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

- 2 [RLH RR 17-19](#) Ordering the rehabilitation or razing and removal of the structures at 412 GOODRICH AVENUE within fifteen (15) days after the July 19, 2017 City Council public hearing. (Public hearing continued from March 21) (To be referred to Legislative Hearing on October 23)

Sponsors: Noecker

To be referred back to Legislative Hearing on October 23, 2018.

Carol Carey, Executive Director of Historic Saint Paul, appeared.

Ms. Moermond asked about the status of the financing for the project and noted they just provided a revised plan and letter from the Twin Cities Land Bank.

Ms. Carey stated she also included the MHFA application for \$50,000 and that as of today they had raised \$45,000 in private contributions toward filling the funding gap. If they get the MHFA impact funds, they will be able to close and move forward with construction, which they will find out in October. She noted that in an earlier meeting Ms. Moermond had asked them to look at alternatives, if they are unsuccessful in securing the needed funds. She noted the importance of the age and integrity of the 160 year-old site. Historic Saint Paul would welcome the city's financial participation. The deconstruction of the rear addition is pending, the permit has been applied for and the Youth Build crew is planning in the 3rd week in September. We have also just completed our archeological digs and planning another fundraising end of September.

Ms. Moermond asked for clarification on the financing gap. Ms. Carey indicated it was about \$90,000, \$45,000 of which has been raised. As mentioned in earlier hearings, the increase in the gap was related to unforeseen foundation problems.

Ms. Moermond said the next logical time to talk would be in October, when the work removing the rear addition was complete and there was a response on MHFA financing. She will send this matter to the City Council on September 5 and ask them to send it back into Legislative Hearing October 23, 2018.

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

- 3 [RLH RR 18-29](#) Ordering the rehabilitation or razing and removal of the structures at 769-771 UNIVERSITY AVENUE WEST within fifteen (15) days after the August 15, 2018 City Council public hearing. (Amend to remove within 30 days)

Sponsors: Thao

*Mandy Pant, Project for Pride in Living (PPL) ADYC LLC, owner, appeared.
Dan Bayers, Planning & Economic Development (PED), also appeared.*

Ms. Moermond: we had talked about the low income posing tax credits & not being able to do that as anticipated a month or so ago; & having that come forward, hopefully, in Sep maybe & Oct to be at HRA Board

Mr. Bayers: anticipation, right now, is Sep 12, 2018

Ms. Moermond: OK; after the HRA Board considers the tax credits, you would be able to finalize the financing for the entire project & this would be a component of that project; & finalizing financing would then be followed by the closing?

Mr. Bayers: correct

Ms. Moermond: OK; & we had talked about whether we should deal with the demolition of this house as a part of the entire project following the closing or if the demolition should precede the closing, knowing that it's going to be pushed out until Oct-ish; if you closed, then you wouldn't be able to get going with the demolition until, I imagine, weeks after that; pulling the permit for that & having the contractor do their review

Ms. Pant: I have an application for a bldg permit; you need a bldg permit in order to do the financial closing; the bldg permit is for "to build a project;" & our ___ sub was also going to apply for a demolition permit because that is needed for the bldg permit; it takes about 10-15 days to get the demolition permit; & I've been talking to our title company to grant approval of an early start so we can pull the bldg down before we close on the financing; they have all the documents & are working on that; they said, "a couple weeks;" I'm hoping that by the end of Aug, we'll have our demolition permit & early start approved & maybe we can pull the bldg down in Sep; that sort of follows your expected timeline; it will be helpful to have the bldg down because that bldg causes more & more issues - a lot of trash dumping; we send people out there almost every day or every other day to clean up; it just keeps coming

Ms. Moermond: this is going in front of City Council tomorrow, Aug 15, 2018; it sounds like you'll be ready to pull a demo permit right now

Ms. Pant: we'll apply for it now & we'll get it in 10 days or so

Ms. Moermond: I will ask the City Council to issue an Order to Remove the bldg within 15 days; that gives you 15 days to take action

Mr. Bayers: what do you mean by "action"

Ms. Moermond: pulling the demo permit by a licensed demolition contractor; you'd just need to show Mr. Yannarely that you've got the permit pulled & that you have a contract with a licensed demo contractor; you've gotten some demo bids, what are they running?

Ms. Pant: I think they're between \$20,000 & \$25,000

Ms. Moermond: OK

Ms. Pant: there are some abatements; we have some environmental consultants lined up to make sure that it's OK

Ms. Moermond: the Council will give you 30 days to remove the bldg; they'll take the vote tomorrow, which will give you a 30-day window to initiate action (get the permit pulled & once it's pulled, get the bldg down within another 30 days)

Remove within 30 days with no option for repair.

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

- 4 [RLH RR 18-15](#) Making finding on the appealed nuisance abatement ordered for 521-523 DESNOYER AVENUE in Council File RLH RR 18-11.

Sponsors: Henningson

Nuisance has been abated.

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

11:00 a.m. Hearings

Summary Abatement Orders

- 5 [RLH SAO 18-55](#) Appeal of Steven Mark to a Summary Abatement Order at 33 GEORGE STREET WEST.

Sponsors: Noecker

Steven Mark, owner, & his granddaughter, Samantha Howell, appeared.

Inspector Mark Kaisersatt: we received a complaint on Jul 30 re misc rubbish on the blvd, backyard, as well as a temporary tent structure in the backyard that was being used for storage; I wrote a Summary Abatement Order with a compliance date of Aug 10, 2018; in the interim, Steven had appealed the Orders; photo

Ms. Moermond: I don't see a temporary tent structure in the photos

Mr. Kaisersatt: it has been removed as has the majority of the rubbish; the photo highlights what remains - oil soaked carpeting; scrap metal; pallet with concrete blocks; the items that were on the blvd & the temp structure have been removed

Mr. Mark: this is a rental property; I met Mark there this morning

Ms. Moermond: what are you looking for today?

Mr. Mark: I left the tenant a letter saying that he had until this Fri to clean up the mess & if he doesn't do it, then, I want until the following Fri to take care of it myself - get somebody out there to take the junk away

Ms. Moermond:

Grant an extension until August 24, 2018 to comply with the remaining items in the back yard.

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

Correction Orders

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

6 [RLH VO 18-40](#) Appeal of Jason Martinetto to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 559 SMITH AVENUE SOUTH.

Sponsors: Noecker

Grant 90-days for compliance with the vent and garage siding and wall.

Jason Martinetto appeared.

Fire Inspections Supervisor A.J.Neis reported that the revocation under appeal today was issued because the work was not done by the deadlines given in the previous appeal. He said there were still 4 remaining items – dryer vent getting fixed under permit (the permit was since pulled on July 30 and still needs to be finalled), attending the crime-free multi-housing class, exterior garage which has some damaged, buckled siding,

Ms. Moermond reviewed Mr. Martinetto's written appeal, highlighting that the most critical element in the earlier orders was the bowing of the garage and that the City's structural engineer, Brian Karpen, had inspected this and found that it was not in dangerous condition. However, you noted Fire Inspector Klein added an order related to the side of the building to the orders, where you would be required to remove the siding and expose the wall to determine the source of the buckling siding. This order was based on Mr. Karpen's inspection and written, per his instruction, but that may not have been clearly communicated to you. Mr. Karpen's notes say "the side bulge in wall need to be assessed by removing covering."

Ms. Moermond indicated that Mr. Martinetto was well on his way to addressing the outstanding items on the earlier set of orders, and would not recommend revocation looking at those items, because they were so close to being completely addressed. With respect to the revocation for noncompliance with the new order pertaining to the side wall, it would not be fair to revoke the certificate when he hadn't been given a chance to rectify the situation.

Mr. Martinetto expressed some frustration that this issue was not raised with him at the inspection with Mr. Karpen so he could better understand the issue. He believes the wall to be plumb and has maintained from the beginning that although the garage is an odd structure, it is structurally sound. He also asked what would be gained by removing the siding, since the interior of the same wall is unfinished. Ms. Moermond indicated this is something he will need to discuss with Mr. Karpen or the City Building Official, Mr. Steve Ubl, as there may be another way to look at this, but that can't be determined today in this hearing. Mr. Neis suggested that the Sr. Building Inspector Mike Palm would be a good person to contact to begin the conversation.

Ms. Moermond summarized that her role today was to develop a recommendation for the Council on the revocation and carve out some new deadlines for completion of the orders. So, the recommendation is to grant the appeal on the revocation, continue the orders with a 90 day extension.

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

7 **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

Grant an extension to September 14, 2018 for compliance.

(No one appeared.)

Ms. Moermond: you went to do the inspection on Geranium; what's going on?

Fire Supervisor A.J. Neis:

-yes; the home is in very, very good condition; we're waiting on the permit to be finalized on the windows; it's just a matter of the building inspector doing the final; the roof has been completed; it also needs a final

Ms. Moermond:

-will recommend that the Council grant an extension to Sep 14 for those finals to happen

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

8 [RLH VO 18-39](#)

Appeal of Robert F. Bauman, on behalf of Brenndon R. Lebert, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 953 WESTMINSTER STREET.

Sponsors: Brendmoen

Grant an extension to September 14, 2018 for compliance or the property must be vacated.

Robert F. Bauman, property manager, appeared o/b/o Brenndon R. Lebert

Fire Supervisor A.J. Neis:

*-Revocation of the Fire Certificate of Occupancy by Inspector Jacob Wheeler
-6 code violations that need to be completed due to long term noncompliance: back door latch; covers on junction plates; water remediation done in basement (photos); kitchen flooring; bedroom ceiling & walls
-owner is looking for more time; his insurance claim was denied, which he is appealing
-the home is occupied so it needs to be code compliant regardless of whether the insurance claim goes thru or not*

Ms. Moermond:

-there are many photos: seeing water damage on ceiling/walls; torn flooring needs to be repaired under refrigerator

Mr. Bauman:

*-this is my son's first investment property; this house was destroyed by tenants since Nov-Dec 2017; they wrote out 1 check for the whole year; they tried to get a restraining order against me & my construction crew so we couldn't finish this; the referee in court asked, "What are we doing here?" a police report says the complete opposite; the damage done was done by the tenants; I have pictures of how nice the house was; they completely wrecked the woodwork & doors; they flooded my basement; they put security cameras in - drilled holes in the doors; every time I was there, I had to call the police just to enter my house
-the first time Insp Wheeler went there, they said that the home was not fit to live in because it was too cold; I called Magesky from Hastings to install a new thermostat; in the basement, they turned off the baffles; they smoked in the attic, etc; the crown molding in the house was 100 years old - splattered paint on it; in all my years, I've never seen anything like this; they broke the tile flooring by moving the refrigerator;*

they insisted that they never moved the refrigerator; then said, "We only moved it 2 feet;"

*-I'm asking for an extension until I can get them out of the house; we're going to housing court Aug 22 or 27 - that's the first eviction hearing
-there's an open claim to check the issue; I'm asking for grace to get these guys out
-my business partner watched me fix the doors - there's video*

Ms. Moermond:

*-the noncompliance is a result of problem tenants; you have been trying to work with that with the court system
-the city will vacate the building based on noncompliance with these Orders (Jul 9 letter); if I were to deny the appeal & put a vacate date on it, the building would be empty for a short time so, it might be put into the VB Program; if it does, I'd usually say that if you could get your C of O reinstated, I'd waive the VB fees*

Mr. Bauman:

-only pushback is that they paid in full so, if they're booted out, I may need to reimburse them for the remaining money; I hired Attorney Greg Miller (Vandalism claim); the amount of work that I have to do because of them is over \$7000

Mr. Neis:

-we just want compliance

Mr. Bauman:

-I have no problem with compliance but each time I comply, they undo what I did to meet your requirements

Ms. Moermond:

-we've seen cases like this; I'm looking for resolution & you're not going to get resolution as long as they're sitting there & it could be 60 days before these tenants are actually gone & you can begin to repair

Mr. Bauman:

-I can have these things fixed in a matter of hours with my crews but if I did that now, it would be undone again; I have proof that I've done it all & it gets undone each time & they can get away with it; I have video; I have receipts; this is not the way it's supposed to work out in an honest system; I don't want to reward their dishonesty; I'm asking for a continuance at least until there's a clarification of what's going to happen in court because there's no way that we will ever recover this money

Ms. Moermond:

Grant an extension to September 14, 2018 for compliance or the property must be vacated.

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

9 [RLH VO 18-42](#)

Appeal of Angelina Reese to a Correction Notice - Re-Inspection Complaint, including Condemnation of Unit 203 at 1365 ARKWRIGHT STREET.

Sponsors: Brendmoen

Deny the appeal.

Angelina Reese, owner, appeared.

Fire Supervisor A.J. Neis:

-this is a Condo Association

-Revocation of Unit 203 (vacant); photos in file: water damage; needs more time- Appellant is having some challenges with the homeowners association about who should cover what costs; (where the water is coming from & how that would be remediated, etc.); I'm not opposed to additional time because the unit is not occupied

Ms. Moermond:

-what are your plans for addressing the issues in the Fire Orders?

Ms. Reese:

-before I proceed, I have a point to make; there's a lot of history here; I have attached documents with the problem that started in Jan 2018; I think I should have appealed 2 months ago stating the reason why my rental agent, Renters Warehouse, opened up the wall & the floor area because of this mold especially in the alcove area; there's something wrong with the window; if I would have explained this 2 months ago, they could understand the reason why the wall was opened - to treat the mold; they asked me to seal up the inner wall; this problem is costing me; I bought the unit in 2008; a new roof was put in 2012; at that time, there was no problem; after that, they started to have a problem; now, there's mold all along there; I was living overseas at the time; I'm back here now for a limited time & I want to get this moving so I can leave again; I got a report that the problem was with the attic ventilation - causing all the moisture coming down the wall but according to the association, I cannot touch the attic or exterior wall; I had several contractors come in; they reported that this has been going on a long time causing mold; they all told me that I better get the attic problem fixed; now, I'm waiting on the association but they are not doing anything (took photos)

Ms. Moermond:

-you are looking for more time; you also said that you don't want it to be condemned; you have an attorney, who's working with the association; do you have an estimate of when these issues will be addressed?

-the Condemnation says that no one can live here until the problem is fixed

Ms. Reese:

-I have a contractor who wants to go in; I want to fix up everything quickly because I want to sell it after it's fixed but no one can go in there now because it's Condemned

Ms. Moermond:

-you can have any contractor go in to make repairs but no one can live there; basically, no one can sleep there & it can't be rented out for someone to live there -you can sell it with these repairs that are ordered; the buyer would just need to be made aware of these Orders

Ms. Reese:

-I really don't want the buyer to see that it's Condemned

-I didn't get the Jul 5 Correction Notice

Ms. Moermond:

-you're going to try to do these repairs but you will have to work with the homeowners association

Ms. Reese:

-the homeowners association is not doing anything

Ms. Moermond:

-but you're attorney is working with them

-I will recommend denial of your appeal; this unit should be Condemned until the repairs are taken care of

-Mr. Bryan Schmidt can lift the Condemnation when these things are addressed

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

1:30 p.m. Hearings

Fire Certificates of Occupancy

10 [RLH FCO
18-102](#)

Appeal of Kristyn Secaur, on behalf of Court International LLC, to a Fire Inspection Correction Notice at 2550 UNIVERSITY AVENUE WEST.

Sponsors: Henningson

Kristyn Secaur & Max Currie appeared o/b/o Court International LLC, owner, appeared.

Ms. Moermond: I had a chance to send the floor plan that you provided over to the building official & talked with him about it; he is saying that he wouldn't approve it & he doesn't know how that happened; he was hoping that you could provide any information on approved plans

Mr. Currie: the city saves one & hands one back

Fire Supervisor Leanna Shaff: that is true but they don't have to save that for very long

Mr. Currie: I do have a copy of the print but it's not a staff copy; it's the copy that was supplied by the architect for permit; I have the actual tenant build-out, in question; we have the permit number & the builder

Ms. Moermond: I can share that with the building official; what I have is the floor plan; we need to sort this thru the building official because it's a building code issue; it's his call in terms of the permit approval

Mr. Currie: I have left him several messages; I've gotten 0 calls back

Ms. Moermond: let's scan-in your information; I can do another Lay Over; I know that the building official also has the Ford Plant reviews on his plate

Mr. Currie: we dug up everything that we could find; I reached out to Steve & I spoke to him the day of our last hearing; he said, "Alright, I'll get back to you;" I called him a couple of times, he was busy....

Ms. Moermond: we'll have Mr. Ubl look at these plans with permit approval to clear this up; we can go out a month

Mr. Currie: I'd like to walk thru this print & show that it does show 1 exit path (photo copied & scanned documents) Ms. Moermond took notes on 1 of the copies; Ms. Shaff also goes over it with Ms. Moermond & Mr. Currie; checks out the card reader that was written up; this tenant is the only one on the floor that's in question; all other

tenants have direct access to 2 of the 3 stairwells;
-this one tenant can use 3 stairwells thru the corridor; to get to this one (pointed), there's a set of double glass doors with a mag lock that releases in the event of an emergency & there's an Emergency Exit sign above it; we have an email from John Stradsky talking about whether or not we should add a door or put in signage at the time of this build-out; he said to add the signage (email between him, Steve Ubl & Jim Bloom); they obviously approved the permit; we're just trying to get to the bottom of whatever they'd like us to do
-this print, which was, theoretically, the print that was approved from May 21 - this was approved on the 30th; this shows the 1 exit path to this stairwell - this has an automatic release again in the event of an emergency

Ms. Shaff: we have a dead end corridor (?)

Mr. Currie:
-this one tenant is leaving in 2020 & we're are happy, at that time, to put a corridor back into this stairwell to re-complete this similar to this one (points to) - other half of the building

Ms. Shaff: Steve Ubl will definitely want to look at this; the code is really clear that this is something that can't happen; just because it was wrong before doesn't mean it can continue

Mr. Currie: we've obviously gotten through a couple of Fire inspections but this inspector picked up on this; we had to do a little digging; we remembered that it was an issue but it took us a little while to remember back 4 years ago to what happened

Ms. Moermond: the tenant in question is in this (points to) space? OK

Mr. Currie: they can, physically, get to all 3 of these stairwells without going thru a door; the issue is that they can run this way (points to) & get to this dead end; now, in the event of a fire, this door is automatically unlocked
-our issue is to make this building comply, we'd have to put in a fairly substantial corridor, which we're willing to do; the downside is: it takes a tenant's space & chops it in two; and this was something that was, in our opinion, approved at the time
-this corridor will extend to this far wall (points to)

Ms. Moermond: so, if this tenant leaves in 2020, you're willing to do the build-out alright

-I will communicate with Mr. Ubl, share plans, emails, try to get a determination from him; & we'll try to save you a trip

Mr. Currie: if there's a time delay button we can put on those double glass doors that sets off an alarm & waits....

Ms. Moermond:
-will continue this to Sep 18, 2018 LH to put a decision on the record

Recommendation is forthcoming.

Laid Over to the Legislative Hearings due back on 9/18/2018

11 [RLH FCO](#)
[18-139](#)

Appeal of Andy Jadoo to a Correction Notice - Re-Inspection Complaint at 330 BURGESS STREET.

Sponsors: Thao

Grant to November 1, 2018 to comply with the parking surface and ground cover.

Andy A. Jadoo, owner, appeared.

Fire Supervisor Leanna Shaff: started out as a Fire Certificate of Occupancy that was approved with deficiencies; now, it's on a referral; Dec 22, 2017 was the first inspection by Efrayn Franquiz; he noted that the parking surface near the garage was in disrepair - was crumbled asphalt; cars were parking on the grass; it was also on Orders dated Feb 2, 2018; it was approved on May 5, 2018 with corrections; also on referral for Jun 11 & Jul 9, 2018; photos

-code is clear: the surface must be maintained; the Appellant is looking to fence it off so that people can't park there; however, the Zoning Code requires off-street parking so, that's not a possibility; you can't go backwards

Ms. Moermond: for parking surfaces, I look at the parking surface that was there originally; the boundaries of that parking surface; and the alley surface -in your appeal, you talked about the other properties in the alley & fencing; what are you appealing for

Mr. Jadoo: the yard has a 1 car garage & there's space for off-street parking; the gate opens where a car can fit thru it; I've asked the tenants not to park there; they have access to the alley thru the garage; up until the inspection in Jun, they parked in the yard; I had told them not to park in the yard; I locked the gate & put a chain on it; he parks in the garage now; other than that; they're great tenants

-the part that the city wants done is crumbling but it's not completely in disrepair compared to the rest of the alley way, which is basically dirt & mud; I don't see the logic of black-topping it when the rest of the alley is mud & dirt & I have numerous pictures of other people parking their cars on the grass -the house next door parks his van every night on the grass; that house is in complete disarray; it's been abandoned for 10 years; I complain about that; the guys lives in the garage, literally; there's been no movement on that & at the same time, I get letters about correcting things immediately

Ms. Moermond: I sent that off to inspectors -the garage is set back from the alley about 8-10 feet; looks like it was formerly blacktop

Mr. Jadoo: up to the face of the garage & halfway up to the gate

Ms. Moermond: Mr. Jadoo & Ms. Shaff came up to view the photos -given the level of deterioration & the fact that this is a Class 5 alley, to see it be Class 5 there (pointed to photo); it's the most affordable route; secondly, it needs clean boundaries & you need vegetation to hold the soil

Mr. Jadoo: my issue, then, is why aren't all the other properties treated the same way?

Ms. Moermond: I can have inspectors go out to look at those; your situation came up because you had a periodic inspection -I will recommend the Council grant an extension to Nov 1, 2018 for a compliant parking surface & ground cover

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

12 [RLH FCO
18-141](#)

Appeal of Leslie Lucht to a Correction Notice - Complaint Inspection at 693 SAINT ALBANS STREET NORTH.

Sponsors: Thao

Leslie Lucht & his wife, Elizabeth appeared.

Mr. Lucht showed Ms. Shaff photos - things he took care of

Fire Supervisor Leanna Shaff: complaint inspection conducted by Efrayn Franquiz; 13 items; photos

-Appellant is appealing #12 - wall underneath kitchen sink is water damaged & has mold on it & the wall near the stairway moves & is no longer secure; & #13 - electrical work done in garage hasn't been done under permit & isn't correctly done; heat register also needs a licensed contractor done under permit

Mr. Lucht: #12 - the mold has been removed; the partition near the stairway has a slight movement; probably has been that way since house was built; I'd like to have Steve Ubl look at it; he was the general inspector back when the house was built in 2001; I lived in that house; it's always been like that; it's secure & it's not going to fall at any time

Ms. Moermond: the inspector says, "The partition wall near the stairway moves & is no longer secure"

-have Inspector Neis go out with Insp Franquiz

Mr. Lucht: I going to try to get an electrical contractor from Brite-Lite Electrical Company, Inc, to come out to take a look at the wiring & stuff; he was supposed to come last night but he couldn't make it; he will pull permits

Ms. Lucht: the heater by the stairway has always been there; we didn't put it there

Mr. Lucht: the inspector at DSI said things all depends on what the contractor says about whether a permit needs to be pulled when things have been there before

Ms. Shaff: that's correct but looking at the pictures, it looks like the wall behind the mechanism has a very large patch in it; looks like the heater may be pulled away from the wall

-the new electrical work done in the garage requires a permit; it is also incorrect

Ms. Moermond: will be getting a licensed electrical contractor out there; has the inspector shared these pictures with the electrical inspector?

Ms. Shaff: he probably has in order to write them this way

Mr. Lucht: I talked to the plumbing inspector about the connection in the sink & I talked to the plumber, who came over for a 5 minute job; then we hired a drain guy to unplug the drain for her (has receipts)

-I just had court with that tenant this morning because we're trying to evict her; now, I have a trial date with her; last night, I had a hard time getting in there because she didn't want to let me in; so, I don't know if I can get in there with the electrician on Thu; she has an alarm system in there; so, even with a key, the alarm might go off & then,

I'll be hassled by the police

*Ms. Moermond: you sound like you're waffling about whether or not you can have the other things done by the Aug 27 deadline so, I'm comfortable putting the deadline out further, let's say Sep 21, 2018 for everything
-within the next couple of weeks, Mr. Neis will take a look at that partician's movement & I will go with what he says on that; if it needs to be secured, you'll have to figure out a way to stabilize it*

Grant until September 21, 2018 to comply with all items in the August 7, 2018 Correction Notice.

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

2:30 p.m. Hearings

Vacant Building Registrations

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

Sponsors: Bostrom

Layover to see if boiler permit is finaled at the August 17 inspection.

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

- 14 RLH VBR 18-51** Appeal of Mark Johnson to a Vacant Building Registration Fee letter at 559 DESNOYER AVENUE.

Sponsors: Henningson

Mark E. Johnson, owner, appeared.

Supervisor Rich Singerhouse, Vacant Buildings: we got a referral from Code Enforcement Inspector Dan Hesse, who was following up on a complaint; he found tall grass/weeds, papers piling up, etc. so, he thought this was a vacant building; Inspector Mike Kalis went out & opened a Category 1 VB; he found it vacant & secure by normal means; exterior is in fair shape; a TGW letter was sent; he sent a Work Order on the same day that Mr. Kalis opened up a VB file

Mr. Johnson: I & Carrie Flanagan are the owners & we live in Decatur, GA -we are out of town property owners & I had a tenant who moved out the end of May 2018; a few days later, the landscaper, who I had been using for years was deployed by military orders & did not inform us; the tall grass occurred after that & I was not aware of it; once I received the letters, I hired a new landscaper, who is taking care of the property; I'm in the middle of fixing the issues - remodel work; just got done refinishing the hardwood floors on Fri; did some painting & some concrete work; staining & sealing the deck, etc; I will be renting to new tenants soon; I'm pretty thorough shopping for tenants so, sometimes it takes longer than I anticipate -the last couple of tenants I had have come through an insurance company that supports people who've had their houses burned down & who need short term rentals; so, the insurance company reaches out to me; yesterday, they were looking for a home

for a new set of tenants; that way has been successful for me; being an out of town owner, it's easier for me

Ms. Moermond: when do you think you'll be ready to put someone in there?

Mr. Johnson: getting contractors lined up has been a little difficult - contractors I can trust; I'm anticipating that this might go on until sometime in Sep; I anticipate getting a tenant in there by early Oct, at the latest; if the insurance company wants to place someone now (as is); then, I would stop the additional work that I'm planning to do & have those individuals move in & that may occur within weeks

Ms. Moermond: it's a Cat Registered VB which means that it's turn-key; someone can move it now

Fire Supervisor Leanna Shaff: it does have a Fire Certificate of Occupancy

Ms. Moermond:

Grant the appeal, noting inspector will revisit this in mid-October.

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

15 [RLH VBR 18-55](#) Appeal of Laura Kidd to a Vacant Building Registration Notice at 1187 MARYLAND AVENUE EAST.

Sponsors: Bostrom

Laura and daughter, Andrea Kidd appeared.

Leanna Shaff, Fire Inspector:

-started out as a Fire C of O inspection by Dan Klein. First inspection was set for 3/26 no show, again no show on 5/1, actually, it was rescheduled due to asking Force Unit to accompany him. Lot of behavior complaints.

-Issued orders to allow access.

-on 5/15, inspector met with husband at the property and allow access for the inspection

-house under total remodel, walls, electrical, doors all open or demolished

-there is a stop order for work for no permits

-property owner tried to pull their own permits but was denied. They don't live at the property.

-As of 6/29, some civil issues going on between the owners. Inspector met property at property and allow access for inspection,

-tenant which is the ex-husband left property as Force Unit and the inspector arrived.

-not coming back per the property ownner, no work completed

-remodel continues with no permits

-advise property that the revocation will occur and that is the next process, and posted revocation on 7/30. Per Manager Wiese, revoked and vacant on 8/3 for non compliance and lack of permits

Vacant Building Supervisor Rich Singerhouse:

-on 8/3, we opened a Category 2 vacant building due to the revocation. Referred with revoked Certificate of Occupancy by Daniel Klein of Fire Inspections. House has peeling paint, missing or torn screens, missing or defective soffit/fascia, defects in concrete steps, missing handrails, and appears parts of interior gutted as well as a number of deficiencies on Fire's revocation list. Open category II VB file.

Ms. Moermond:

*-looking at Fire orders done August 3 revocation and then right away into the vacant building program. The appeals on both are within 10 days so we are talking about both together
-asking why appealing*

Laura Kidd:

*- in 2002 I bought my home through my tribe through a homeownership program, always have been in homestead
- only wrong with my house was just cosmetic when I was told by my inspector when I bought the house in 2001. - In 2016 my daughter got her trust fund from her tribe and she paid the remaining of the house off. Own out right. The house was never rented.*

Ms. Moermond:

-it's not owner occupied

Laura Kidd:

*- I paid for over a decade on the house. My daughter and I own it. Our plan was for her and I to live there. she is a single mother. The stuff her father needs to do was out of our hands.
- I didn't have keys. He changed the lock and I have no control of what he was doing. He wasn't letting her know what he started but he was only to take the plaster off and put sheet rock and then kitchen sink. Nothing expensive.
-From our understanding we didn't have to pull permits for under \$500 and without having contractors.
-We weren't aware of all the work that he started
-He and another person have been living there all these time. He was getting all these letters and didn't know that. They weren't sending letters to where I live and he didn't let us know. We don't have each other's phone number. We should have gone over there and knowing what jobs he started.
- there was a hoarding situation which I wasn't aware of it at all. I don't feel that the house is gutted. I would live there. I don't think it's unliveable. The plumbing works, electricity works. Now we did gain control of the house.
-He moved out that day. Since then we have done a lot of things we could do.
-Everything on the list didn't even include the last paragraph or item. It was all outside things.
-Until the 29th when Andrea and I let Mr. Klein in was when we were told we have to put some sheetrock up. We have the materials for the sheetrock. Klein reminded us we can do a lot of the work, like scraping and painting on the trims outside and the steps. Tom Friel said the same thing. I feel like we have just gain control of the house. We made a lot of improvements. There were lots of thing in the yard and we cleared away. My remedy for the fence was we took it down. My daughter filled in the holes.
-One of our friends moved 3 truckloads from house, the yard and the garage.*

Andrea Kidd:

*-we have been keeping up on the lawn care since then even though we don't live there
- I would hate for the house to be condemned.
- A lot of money we put into the house and to paid it off so my son and I can live there. I also regret not being more responsible for my father not doing anything in the house but I would like to be given another chance for us to try something.*

Laura Kidd:

-we gave him 2 1/2 years and this is the result of it but he refused.

-we have done a lot since he left. Lots of the things outside we can do ourselves.
-requesting 90 days
-there are lot of fines because he missed a lot of inspections

Ms. Moermond:

-the certificate of occupancy got revoked because of long term non-compliance. That is different from saying the house is condemned. They would going to let him live there and have been limping along and when he didn't do what he was supposed to do, city inspector had to pull the certificate.
-Your name is on it and you are responsible. It makes sense you want to use the house.
-Have you talked to contractors to do the work?
Is there housing fund through the tribes?

Laura Kidd:

-first we noticed that the D4 and D5 got grants available and we want to apply for those and there is little interest loans. There is certain program. My grandson's father have friends who are contractors and we can get discount on those.

Ms. Moermond:

-have you talked to someone at the district council or Dayton's Bluff Neighborhood?

Laura Kidd:

-I am on the Board on the D4. Alyssa Jones and Jane Prince are helping me in the right direction.

Ms. Moermond:

-where are you in terms of filing an application?

Laura Kidd:

-I was waiting to see what happened here?
-we already have contractors lined up
-We don't need a plumber
- I will go apply for today.

Ms. Moermond:

-I am happy with waiving the vacant building fee and see that this gets recoccupy
-Looking for a length of time to sort things out and want to be responsive to how long the length of application time period was when you talk to different organizations?

Andrea Kidd:

-We need to spend money also besides grants.
-Need time to get money as well.

Laura Kidd:

-there are some personal things there
-garage stuff, vehicle in there but it's in control now.
-there was one truckload just for the garage.

Ms. Moermond:

-there is only one that give me pause is the electrical items.
-looking at this set of orders if you could do a fresh inspection and prioritize the ones that needs to be done before it can be occupied
-Need a fresh analysis to get Fire C of O reinstated or convert to Code.

*-got these orders written now and need to know what can be crossed off
-not sure about the holes in the walls
-I want inspector eyes on this before I move forward*

Laura Kidd:

-we took all the ducts out to clean.

Ms. Shaff:

-how about Thurs at 10 a.m. August 16

Ms. Moermond:

-Want to identify which items need to be done first

-electrical work should have a permit and finalized

-what walls need to be closed

-a work plan later to get the work done.

-Critical issues first, apply for loans/grants.

-LO 1 week to August 21 at 2:30 p.m.

Layover to August 21. In the interim, an inspection will be made on August 16 @ 10 a.m. to determine what items are done. Work plan to be developed for remaining items for discussion at the August 21st hearing.

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