



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, September 18, 2018

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments (J1901A & LAYOVERS)

- 1 [RLH TA 18-545](#) Ratifying the Appealed Special Tax Assessment for property at 59-61 CURTICE STREET WEST. (File No. J1901A, Assessment No. 198500)

Sponsors: Noecker

Approve; no show.

Referred to the City Council due back on 1/2/2019

- 2 **RLH TA 18-532** Ratifying the Appealed Special Tax Assessment for property at 939 HAWTHORNE AVENUE EAST. (File No. J1901A, Assessment No. 198500)

Sponsors: Bostrom

Tyler Walsh, owner, appeared.

Supervisor Lisa Martin:

Cost: \$160

Service Charge: \$162

Total Assessment: \$322

Gold Card Returned by: Tyler Walsh

Type of Order/Fee: SAO

Nuisance: TGW

Date of Orders: 5/22/18; 2nd TGW issued 5/30/18

Compliance Date: 5/26/18; 2nd compliance date 6/3/18

Re-Check Date: 5/30/18; 2nd notice 6/1/18

Date Work Done: 6/1/18

Work Order #: 18-067622

Returned Mail?: No

Comments: the 2nd complaint was closed as a duplicate, so, we're going off the original dates of May 22 with compliance date of 5/26; re-insp on 5/30; work done 6/1/18

History of Orders on Property: Long history. See STAMP

VIDEO - city crew cut grass

Mr. Walsh: I was not the property owner at this time; I closed on the house Jun 25, 2018; during that time, I was military training so I wasn't even in the state; I was pretty upset with the realtor; told them they needed to mow; it looked bad; I don't feel that I should be held responsible for the lawn care; I guess the property owner at that time wasn't in that property & hadn't been for a long time; I tried to send her the bill & if she doesn't pay it, I hope I'm not responsible for this; someone else was renting the house, she was in Florida

Ms. Moermond: unfortunately, assessments attach & stay with the property, not with the person; in your situation, the old owner didn't do it & didn't pay the bill; now, you are the owner & you'll have to go after the previous owner in order to hold her responsible
-Ms. Vang will provide you with documentation
-your realtor should step up & help you with this
-I'll recommend approval

Approve the assessment.

Referred to the City Council due back on 1/2/2019

- 3 [RLH TA 18-540](#) Ratifying the Appealed Special Tax Assessment for property at 837 IGLEHART AVENUE AKA 0 IGLEHART AVENUE. (File No. J1901A, Assessment No. 198500)

Sponsors: Thao

Owner, Jacquie Thomas, emailed and stated she was unable to take off work to attend hearing. Approve unless she contacts our office to reschedule.

Referred to the City Council due back on 1/2/2019

- 4 [RLH TA 18-503](#) Deleting the Appealed Special Tax Assessment for property at 2002 IGLEHART AVENUE. (File No. J1810P, Assessment No. 188410)

Sponsors: Henningson

Delete the assessment; graffiti was on City light pole.

Referred to the City Council due back on 1/2/2019

- 5 [RLH TA 18-513](#) Ratifying the Appealed Special Tax Assessment for property at 757 JESSAMINE AVENUE EAST. (File No. J1814A, Assessment No. 188543) (Public hearing to be continued to January 16, 2019)

Sponsors: Bostrom

Kelly Doron, property manager; Superior Classic Inc; Robert Maus & Tisha Andrew, tenants appeared.

Supervisor Lisa Martin:

Cost: \$144

Service Charge: \$162

Total Assessment: \$306

Gold Card Returned by: Superior Classic Inc

Type of Order/Fee: SAO (remove large cardboard box & a wood table located front of garage near alley)

Nuisance: Garbage/Rubbish

Date of Orders: 4/24/18

Compliance Date: 5/1/18

Re-Check Date: 5/2/18

Date Work Done: 5/2/18

Work Order #: 18-057786

Returned Mail?: No

Comments:

History of Orders on Property: No

VIDEO - crew removed cardboard box & a wood table in front of garage

Ms. Moermond: the photo was taken May 2 - table's propped up against the garage; when the crew got there, the table was inside the fence

Ms. Doron: as soon as we received the Order, I called the tenant; they said they'd take care of it

-I also had a maintenance person go check; he said that he didn't see anything

Mr. Maus: we were out in the garage having a cigarette & we heard them come over; all we heard them say was, "It's all good; let's go;" that box is in my garage & we moved the wood table inside the fence to take care of it; we were going to break down the table & put it in the trash but we never did; we moved the table into the yard so that it wasn't outside the fence

-we have issues with dumping all the time behind my garage & our neighbor's; they do it all the time; we called the maintenance lady, Wanda, & had her come one day; we have an issue over there

Ms. Moermond: is that the case with this?

Mr. Maus: no; that table's mine; we put it back in the yard so we could take care of it

Ms. Doron: they are really good tenants; they were concerned as soon as I got the letter; I feel like they took care of it; I just hate to see them get charged for this

Ms. Moermond: let me just be clear: the property owner is responsible for maintaining the property & taking care of this situation; if there's an assessment, that assessment is on the property only because it is the property owner's responsibility to maintain the property; if you have a private contractual arrangement with the tenants, great; bottom line, you guys hold the bag on this; I know that you're going to pass it on to them but it's your responsibility to drive by to make sure it's taken care of

Ms. Doron: we did

Ms. Moermond: no; you didn't because it was still there

-I heard that there's no history here, which is good

-you got Notice & you did what you thought you should do, which was to move it to the inside of the yard; that's not actually the way you take care of it; if you'd have moved it into the garage; that would have been perfect

-I want to take advantage of your good record

-this goes to City Council on Oct 3, 2018; I'll ask them to continue the case to Jan 16, 2019

Public hearing continued to January 16, 2019 and if no same or similar violation(s), will delete the assessment.

Referred to the City Council due back on 10/3/2018

- 6 [RLH TA 18-529](#) Ratifying the Appealed Special Tax Assessment for property at 1415 MARGARET STREET. (File No. J1901A, Assessment No. 198500)

Sponsors: Prince

Approve; no show.

Referred to the City Council due back on 1/2/2019

- 7 **RLH TA 18-530** Ratifying the Appealed Special Tax Assessment for property at 1388 PAYNE AVENUE. (File No. J1901A, Assessment No. 198500)

Sponsors: Bostrom

Tarryl Olson c/o Olson Property Investments, owner, appeared.

Supervisor Lisa Martin:

Cost: \$372

Service Charge: \$162

Total Assessment: \$534

Gold Card Returned by: Olson Property Investments

Type of Order/Fee: Summary Abatement

Nuisance: Failure to maintain exterior (huge pile of rubbish near alley)

Date of Orders: 6-7-18

Compliance Date: 6-12-18

Re-Check Date: 6-12-18

Date Work Done: 6-13-18

Work Order #: 18-072250

Returned Mail?: No

Comments:

History of Orders on Property: 2017-complaint of a damaged fence (drunk driver drove thru fence)

VIDEO: crew picked up huge pile of garbage near garage & yard waste

Mr. Olson: rec'd SA for huge pile of rubbish near garage; didn't say waste or anything else

-we were doing a tenant turnover at that time

-had arranged for Highland Sanitation to pick up the extra trash; we put it out there;

they picked it up; I got billed for it; they took a picture of what they picked up

-we planted the yard; we picked up all the logs; the fence was re-built & painted;

-I was confused because I had pd my trash hauler to take care of the rubbish

-these were bags of leaves & it was part of our plan to take care of those with the logs;

I didn't know that was an issue

Ms. Moermond: did you go there to take a look?

Mr. Olson: Yeah; I put some of the trash out there; when I got the SA, I called the officer & told him that my trash was scheduled to be picked up on the 12th (pictures

are dated 12th); if you could give me thru the 12th - that's my normal trash pick-up day; then, I'll be taken care of

Ms. Moermond: I can't tell if those bags were leaves or garbage; the bags are closed; I can't tell; & white bags are traditionally used for kitchen garbage; there are few of those in that group, too; & they are in proximity to the garage; so, what is a reasonable expectation for you to look at when you go out & assess the situation?
-any notes from inspector?

Mr. Olson: I never heard back from inspector; I left message

Ms. Martin: no notes from inspector; also TGW (Jun 12, 2018)

Ms. Moermond: written description says: Remove improperly stored or accumulated refuse, which may include garbage, rubbish, loose & scattered litter, discarded furniture, appliances, vehicle parts, scrap wood & metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from entire property including yard, blvd, alley & driveway. **HUGE PILE OF RUBBISH NEAR GARAGE.**
-I'm going to slice this down the middle

Reduce from \$534 to \$267.

Referred to the City Council due back on 1/2/2019

8 RLH TA 18-543 Ratifying the Appealed Special Tax Assessment for property at 1419 RANDOLPH AVENUE. (File No. J1901A, Assessment No. 198500)

Sponsors: Tolbert

Doris Ann Schmidt, Executor of Mr. Krache's will & her husband, Dan Schmidt, appeared.

Ms. Schmidt: James C. Krache died in the house sometime after Sep 6, 2017

Supervisor Lisa Martin:
Cost: \$160.00
Service Charge: \$162.00
Total Assessment: \$322.00
Gold Card Returned by: JAMES KRACHE
Type of Order/Fee: TGW
Nuisance: TGW
Date of Orders: 5/29/18
Compliance Date: 6/2/18
Re-Check Date: 6/4/18
Date Work Done: 6/5/18
Work Order #: 18-069058
Returned Mail?: No
Comments: AT 2 VB OPENED 5/31/18
History of Orders on Property:

VIDEO - not working

Ms. Moermond: I have a photo

Ms. Schmidt: Mr. Krache died in Sep 2017; his next door nbr went to court; she hired

an attorney & got appointed special admisitrator by Ramsey County Court for 6 months; she did not pay any bills; she didn't do anything; he was a pack rat; she removed the contents of his house & went thru everything; she waited until her duties ran out; & then she went to court & asked to be relieved; then, she produced a will stating that I was the personal representative & my son, Gregory, was the sole heir; the only way that we found out that Mr. Krache had passed was thru the newspaper; he is my son's godfather; at the funeral in Dec 2017, my son approached her

Mr. Schmidt: the house sold at sheriff's sale Apr 6, 2018 & the concern is that the estate keeps getting Notices; we have documentation

Ms. Schmidt: and I became administrator Jul 9, 2018

Mr. Schmidt: we don't feel that we're responsible for maintaining the property

Ms. Moermond: indeed, you are not; the assessment for the Vacant Building Program attaches to the property, not to the estate; the mortgage company will be left with the bills; when the mortgage remains unpaid over a number of months, the bank can petition courts to foreclose on it & there will usually be an auction; the bank will usually be the one who buys the mortgage back for the amount that's owed to them; then, they have to wait 6 months to wait for the owner to file to Repurchase it back; in these cases, the bank can choose to ask the court to expedite the foreclosure, which would get it done in 5 weeks; clearly, they did not expedite; the bank will wait the full 6 months to fully take possession of that property; by mid-Oct, a clean-up crew will go thru the house, tidying it up & putting it on the market; it's also a VB, so, some city inspections will begin; all those assessments will attach to the property & the bank will have to deal with it; no assessments will go to the estate

Mr. Schmidt: back in Jul, we signed the house over to the bank

Ms. Moermond: Mr. Yannarely, have anything on 1419 Randolph?

Mr. Yannarely: it's a Category 2 VB; file opened on May 31, 2018; no appointment letter yet

Ms. Schmidt: handed Ms. Moermond a Notice

Ms. Moermond: this is an assessment hearing for the VB fee; you will not need to deal with this; this would attach to the property; put your mind at ease about the assessments; they stay with the property

-if you haven't already filed a letter of some kind with Ramsey County District Court System about your experience, I strongly encourage you to do that; direct the letter to the Probate Office in the basement here at City Hall; they need to know what went wrong - how it fell apart & how bad your experience has been

Mr. Schmidt: Bryan Chmielewski Law Office is representing the bank

Ms. Moermond: I want to make sure that Joe Yannarely has someone to send notices to

-Wilford, Geske & Cook should be contacted on this property (file # 039289FO1)

Approve the assessment.

Referred to the City Council due back on 1/2/2019

- 9 [RLH TA 18-531](#) Ratifying the Appealed Special Tax Assessment for property at 1359 SHERBURNE AVENUE. (File No. J1901A, Assessment No. 198500)
- Sponsors:** Jalali Nelson
- Margaret L Crenshaw, owner, appeared.*
- Supervisor Lisa Martin:*
Cost: \$160
Service Charge: \$162
Total Assessment: \$322
Gold Card Returned by: Margaret Crenshaw
Type of Order/Fee: Summary Abatement
Nuisance: Failure to maintain exterior (Tall grass/weeds)
Date of Orders: 6-5-18
Compliance Date: 6-9-18
Re-Check Date: 6-9-13
Date Work Done: 6-13-19
Work Order #: 18-072048
Returned Mail?: No
Comments:
History of Orders on Property: October 2017- Tall Grass
- Ms. Crenshaw: I'm not here to dispute; I'm here to see if I can make 4 payments instead of 1 because I don't have it; I haven't been in my house for almost 2 years; I have to go over there & take care of the yard; sometimes, people take my money & don't take care of the yard & I don't know about it until it's too late; so when I got this, I went after my \$80 & I got my money back*
- Ms. Moermond: I'm happy to spread if over 4 years*
- _____
Approve & spread payments over 4 years.
- Referred to the City Council due back on 1/2/2019**
- 10 [RLH TA 18-535](#) Ratifying the Appealed Special Tax Assessment for property at 1095 STINSON STREET. (File No. J1901A, Assessment No. 198500)
- Sponsors:** Thao
- Approve; no show.*
- Referred to the City Council due back on 1/2/2019**
- 11 [RLH TA 18-511](#) Ratifying the Appealed Special Tax Assessment for property at 1024 THIRD STREET EAST. (File No. J1814A, Assessment No. 188543)
- Sponsors:** Prince
- Approve; no show.*
- Referred to the City Council due back on 10/3/2018**
- 12 [RLH TA 18-533](#) Deleting the Appealed Special Tax Assessment for property at 796 VAN

BUREN AVENUE. (File No. J1812A, Assessment No. 188532)

Sponsors: Thao

Saba Debesai, owner, appeared.

Supervisor Lisa Martin:

Cost: \$288

Service Charge: \$162

Total Assessment: \$450

Gold Card Returned by: Saba Debesai attend at PH

Type of Order/Fee: SA (remove discarded chairs from driveway)

Nuisance: Garbage

Date of Orders: 3/19/18

Compliance Date: 3/26/18

Re-Check Date: 3/26/18 and 4/2/18, giving a little extra time

Date Work Done: 4/4/18

Work Order #: 18-048833

Returned Mail?: No

Comments:

History of Orders on Property:

Ms. Debesai: we bought this property on Mar 9, 2018 "as is;" everything that belonged to Ms. Thai that was in the house, we had to discard - all the furniture; in the past, we'd just put the good furniture outside for people to take; I think that was the same time that my brother got a Notice that said if I didn't move it, the city would take it & charge me; he told me that he picked it up; I was not involved with his clean-up of the place because it's a rental property for me; my brother is renovating the place; he also said that some items are still in the garage but I'm not sure & that's why I'm here today

Ms. Moermond: your closing date was Mar 9, 2018; on Mar 19, ten days later, the city observed the violation & sent the Notice to the previous owner (Ramsey Co records had not yet been updated); they also sent a Notice to the Occupant (how your brother found out); all the same, I'm looking for proper legal Notification of the owner of record, which would be you; that did not happen; therefore, I'm going to recommend that this assessment gets deleted

-noted that putting things out on the street is not an OK way to get rid of furniture

Ms. Martin: noted that there is not a C of O on this property

Ms. Moermond: asked Mai Vang to give Ms. Debesai an application for a Fire Certificate of Occupancy because this is an investment rental property

-you, as the property owner needs to make sure that the property has garbage service

-owner did not receive proper notification

Delete the assessment.

Referred to the City Council due back on 10/10/2018

- 13 RLH TA 18-546** Ratifying the Appealed Special Tax Assessment for property at 1725 YORK AVENUE. (File No. J1901A, Assessment No. 198500) (Continue to January 16, 2019 Public Hearing)

Sponsors: Bostrom

Roxanne Olson, owner, & Charles Magadanz appeared.

Supervisor Joe Yannarely:

Cost: \$316

Service Charge: \$162

Total Assessment: \$478

Gold Card Returned by: Roxanne Olson

Type of Order/Fee: Summary Abatement Order

Nuisance: Rolled up rug/carpet on property near alley (remove)

Date of Orders: May 25, 2018 & May 28, 2018 (2 SAs sent)

Compliance Date: June 1, 2018

Re-Check Date: June 1, 2018

Date Work Done: June 5, 2018

Work Order #: 18-068855

Returned Mail?: No

Comments:

History of Orders on Property: None

VIDEO - crew removed rolled up carpet

Ms. Olson: it was behind garage; we moved it so that my daughter could come with her truck & get rid of it for us; so, we moved it behind that wood that's sitting there so that it was not in the alley; I didn't know that we couldn't have it sitting there; we moved it to get rid of it; I called the inspector when I got the Notice & told him that I was going to be doing that

Mr. Magadanz: she called when she got Noticed that she needed to take care of this in "X" amount of time; so, I, myself moved it out of the alley; it was by the garbage cans; I'm her son-in-law

Ms. Moermond: the Order is written in such a way that you would be responsible for it still sitting out there; I'm hearing that you don't have a history at this property

Public hearing continued to January 16, 2019 and if no same or similar violation(s), will delete the assessment.

Referred to the City Council due back on 1/2/2019

10:00 a.m. Hearings

Special Tax Assessments (J1902A & LAYOVERS)

- 14 RLH TA 18-524** Ratifying the Appealed Special Tax Assessment for property at 819 AURORA AVENUE. (File No. J1902A, Assessment No. 198501) (Public hearing continued to January 16, 2019)

Sponsors: Thao

Abbey Finger, owner, appeared.

Supervisor Lisa Martin:

Cost: \$338

Service Charge: \$162

Total Assessment: \$500

Gold Card Returned by: Abbie Finger
 Type of Order/Fee: Summary Abatement
 Nuisance: Failure to maintain exterior; remove TVs from alley
 Date of Orders: 6-20-18 Insp Westenhofer
 Compliance Date: 6-27-18
 Re-Check Date: 6-27-18
 Date Work Done: 6-28-18
 Work Order #: 18-077979
 Returned Mail?: No
 Comments: photo
 History of Orders on Property: No History

VIDEO - city crew removed TVs from ground & garbage in front of garage near alley

Ms. Finger: this is the first time I'm seeing this stuff; didn't know there were TVs in back
 -bought house mid-May 2018; worked inside in Jun; didn't know what the SA was for
 -no one was living there until Jul

Ms. Moermond: Notice was sent to you about this at 5305 26th Ave S, Mpls

Ms. Finger: I believe that it was; I just never rec'd it & didn't know TVs were there

Ms. Moermond: you fixed it up & it will be a rental; looks like dumping
 -you are new owner but I don't know if you take care of your property or not
 -if no same/similar violation by Jan 16, 2019, will delete it

Public hearing continued to January 16, 2019 and if no same or similar violation(s), will delete the assessment.

Referred to the City Council due back on 1/2/2019

- 15 [RLH TA 18-527](#) Ratifying the Appealed Special Tax Assessment for property at 571 EARL STREET. (File No. J1814A, Assessment No. 188543) (Public hearing continued to January 9, 2019)

Sponsors: Prince

No one appeared. Recommendation is forthcoming.

FOLLOW-UP: reviewed video, plenty of trash on ground and a few boards. No history of orders in past 6 years. If no same/similar by 1/9/19, recommend reduction by half.
 -10/3/18

Referred to the City Council due back on 10/3/2018

- 16 [RLH TA 18-536](#) Ratifying the Appealed Special Tax Assessment for property at 1623 ENGLISH STREET. (File No. J1807V, Assessment No. 188011)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 10/17/2018

- 17 [RLH TA 18-473](#) Ratifying the Appealed Special Tax Assessment for property at 772 FRANK STREET. (File No. J1815A, Assessment No. 188544) (Public hearing to be continued to January 16, 2019)

Sponsors: Prince

Nan Loeung, owner, appeared.

Supervisor Lisa Martin:

Cost: \$290

Service Charge: \$162

Total Assessment: \$452

Gold Card Returned by: Nan Loeung

Type of Order/Fee: Summary Abatement

Nuisance: Failure to maintain exterior (remove mattresses from blvd)

Date of Orders: 5-11-18

Compliance Date: 5-18-18

Re-Check Date: 5-18-18

Date Work Done: 5-22-18

Work Order #: 18-063652

Returned Mail?: No

Comments:

History of Orders on Property: No

VIDEO - crew removed mattresses on blvd

*Mr. Loeung: was my mistake putting them in front of my house; I thought that maybe someone in the neighborhood might need them; after I put them there, I had complications for 2 weeks; when I came back, they were gone; got letter that it would cost me \$452 - too high for me to pay
-I came up here to see*

Ms. Moermond: so you were out of town for a couple of weeks; you put the mattresses out; when you came back, they were gone; sounds like that the city had sent you a letter during that time period telling you to clean up the mattresses because they shouldn't be there; there was dead grass underneath them

Ms. Martin: no history

*Ms. Moermond: they really look bad for the neighborhood; they'll get rained on; & people usually won't take soft fabrics because there might be bed bugs in them
-the no history is good*

-I will recommend the Council decrease your assessment if you have no same/similar violations by Jan 16, 2019

Public hearing continued to January 16, 2019 and if no same or similar violation(s), will reduce from \$452 to \$226.

Referred to the City Council due back on 10/3/2018

- 18 [RLH TA 18-544](#) Ratifying the Appealed Special Tax Assessment for property at 1785 HYACINTH AVENUE EAST. (File No. J1902A, Assessment No. 198501)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 1/2/2019

19 RLH TA 18-541 Ratifying the Appealed Special Tax Assessment for property at 366 JENKS AVENUE. (File No. J1902A, Assessment No. 198501)

Sponsors: Brendmoen

Don Sellers, owner; Michael O'Shane, tenant; & Danielle Nesbitt, new case worker, appeared.

Supervisor Lisa Martin:

Cost: \$316.00

Service Charge: \$162.00

Total Assessment: \$478.00

Gold Card Returned by: DON SELLERS

Type of Order/Fee: SA

Nuisance: SOFA ON BLVD

Date of Orders: 6/8/18 Insp Paula Seeley

Compliance Date: 6/12/18

Re-Check Date: 6/12/18

Date Work Done: 6/15/18

Work Order #: 18-072159

Returned Mail?: No

Comments: MR. SELLERS STATES ON GOLD CARD THAT HE WAS OUT OF TOWN WHEN SA WAS SENT.

History of Orders on Property: NONE

Mr. Sellers: I was at property Jun 4, 2018; I talked to Michael's case worker, who had told Michael to put it out with the trash; I had no knowledge about that; I left on vacation Jun 5; returned Jun 14, picked up my mail Jun 15 & saw the Abatement Notice; I called Paula right away; she said that the re-check date was the 12th but if they hadn't picked it up, I would be able to pick it up immediately & dispose of it; I went to property & it was already gone

Ms. Moermond: sofa was on back deck (soft fabric), so rain/weather will ruin it so, inside furniture is not allowed on the outside; it will always get called out; & you told his case worker that they can't have that kind of furniture out on the deck...

Mr. Sellers: Ms. Nesbitt wasn't the case worker at the time; she's new

Ms. Nesbitt: Michael told me that they took the couch out because it had bed bugs; it wasn't sitting on the back deck; they needed to get it out of the house; that's why they threw it out; they thought the garbage company would come & pick it up & there would be a charge - more like \$50-\$100; they had no idea that it would cost \$478

Ms. Moermond: if no same/similar by Jan 16, 2019, will delete

Public hearing continued to January 16, 2019 and if no same or similar violation(s), will delete.

Referred to the City Council due back on 1/2/2019

- 20 [RLH TA 18-497](#) Ratifying the Appealed Special Tax Assessment for property at 1356 MARGARET STREET. (File No. J1815A, Assessment No. 188544)

Sponsors: Prince

Approve; no show.

Referred to the City Council due back on 10/3/2018

- 21 **RLH TA 18-528** Ratifying the Appealed Special Tax Assessment for property at 1295 MARION STREET. (File No. J1902A, Assessment No. 198501)

Sponsors: Brendmoen

Richard Schultz, owner, appeared.

Supervisor Lisa Martin:

Cost: \$316

Service Charge: \$162

Total Assessment: \$478

Gold Card Returned by: Richard G Schultz

Type of Order/Fee: Summary Abatement

Nuisance: Failure to maintain exterior

Date of Orders: 6-7-18

Compliance Date: 6-14-18

Re-Check Date: 6-17-18

Date Work Done: 6-18-18

Work Order #: 18-073206

Returned Mail?: No

Comments: Photos in file

History of Orders on Property: Very Long History see STAMP

On Lisa's computer - crew removed the window, scrap wood, luggage, trash & miscellaneous debris from behind the garage along the alley

Mr. Schultz: it's been about \$2000 already in city services

-I'm trying to re-finance my house on disability; was in hospital for 2 months

-people drop off garbage/stuff at my house; a friend of mine caught a stranger trying to break into my garage; had a black Volkswagen; he broke my garage door

-dumping has been a nightmare (bed posts; mattresses; foosball table; junk; etc.);

DeLisle always calls me

-it's been an on-going nightmare for me; it started long ago

-I paid someone to take stuff away; I've taken stuff away; I try to get it straightened out as nice as I can

-this time, I must have been sick; I paid someone to move it but he must not have moved it

Ms. Moermond: it doesn't look like it; looks like the city took it

-I'm hearing that people dump on your property quite a lot

-the city sent you a letter to clean it up; it didn't get cleaned up & the city took care of it

-this happened in Jun

Mr. Schultz: I had cellulitis; I've always done everything I possibly can; a couple of times I just didn't know about the violation

Ms. Moermond: you haven't been able to take care of things; you've had to pay for extra help

-I sympathize with your financial situation; at the same time, it sounds like you are not able to take care of these things; however, cleaning up your property is your responsibility but it sounds like it's beyond your ability, medically, to be able to handle a lot of this

-I will make a referral to the House Calls Program; they may be able to help you with some chore services, etc, moving forward

-we can divide this assessment over a few years

Mr. Schultz: I've cleaned up trash about 3 or 4 times; they keep dumping

-the city came & took & ripped my outside storage bin right out of the ground; \$300 worth of stuff I was using to fix my house & you said that you'd spread it over 5 years & you didn't spread it over 5 years & I missed the Council meeting too

Ms. Moermond: I don't have that in front of me right now

-Ms. Vang is checking to see if I said it'd be divided over 5 years that it actually was divided over 5 years

Ms. Mai Vang: the one from Sep 12, 2018 was Deleted; the one in Jun 2017 - was ratified & made payable in one installment; we heard one in Jul 2016 - was ratified & made payable over 5 years

Ms. Moermond: today, I'm going to recommend approval payable over 5 years

Ms. Schultz: I should be able to sue because you destroyed my things; city took my cart barrel

Ms. Moermond: we're not talking about that today & I can't go backward

Approve & spread over 5 years.

Referred to the City Council due back on 1/2/2019.

22 [RLH TA 18-488](#)

Deleting the Appealed Special Tax Assessment for property at 650 OAKDALE AVENUE. (File No. J1815A, Assessment No. 188544)

Sponsors: Noecker

Colin Ose, owner, appeared.

Supervisor Lisa Martin:

Cost: \$316

Service Charge: \$162

Total Assessment: \$478

Gold Card Returned by: Colin Ose

Type of Order/Fee: SA (remove improperly stored items-standard language)

Nuisance: Garbage

Date of Orders: 5/11/18

Compliance Date: 5/16/18

Re-Check Date: 5/18/18

Date Work Done: 5/21/18

Work Order #: 18-063563

Returned Mail?: No

Comments:

History of Orders on Property: Snow Walk 2/5/18 (WO), burning 12/1/17; tgw 6/25/17 (abated by owner); exterior 8/10/17, 8/8/17 tgw

VIDEO - did not work

Mr. Ose: I just became the owner on Apr 18, 2018; all those previous things were when I was not the owner

-there were tenants in the process of moving out around that period of time & they left a lot of things; I checked my mail

Ms. Moermond: Josh Lindberg's name is on the record

-did you happen to see what was there

Ms. Ose: I believe that I cleaned that up on the last day listed in the letter; I hauled it to the dump

-I live there now

-I'd like to see what work was done

Ms. Moermond: so would we but we are having technological problems right now; & without VIDEO evidence, I will recommend this gets deleted

Delete the assessment. (video did not play.)

Referred to the City Council due back on 10/3/2018

23 RLH TA 18-525

Ratifying the Appealed Special Tax Assessment for property at 1355 PALACE AVENUE. (File No. J1902A, Assessment No. 198501)

Sponsors: Tolbert

Lorraine Englund, owner, appeared.

Supervisor Lisa Martin:

Cost: \$504

Service Charge: \$284

Total Assessment: \$788

Gold Card Returned by: Lorraine Englund

Type of Order/Fee: Summary Abatement

Nuisance: Failure to maintain exterior; tall grass & weeds (TGW)

Date of Orders: 6-8-18 & 6-19-18 - 2nd SA -remove over hanging vegetation in alley ROW

Compliance Date: 6-12-18 & 6-26-18

Re-Check Date: 6-24-18 & 6-28-18

Date Work Done: 6-25-18 & 6-29-18

Work Order #: 18-074385 & 18-077689

Returned Mail?: No

Comments: 2 separate WOs done

History of Orders on Property: Long History

VIDEO #1 - crew trimmed vegetation in alley way

VIDEO #2 - video did not work for TGW

Ms. Martin: I sent email to Parks crew about TGW video; maybe they did another one (?)

Ms. Moermond: I'm not clear if the assessment is for both TGW & vegetation in alley (?); it appears to be that it is; photo for TGW - quite tall

Ms. Englund: I just was shocked at the amount - that's all; I'm learning & I'm getting better

-I had mowed front; hired nbr to mow the back; when I went in the back, it was mowed, so I thought the nbr had done it

-didn't know the alley way was done

-I don't open all my mail right now

Ms. Martin: we do have a history: Apr 18 -garbage complaint; Jun - TGW; Jun 11 -no visible address numbers; over hanging vegetation & another TGW

Ms. Englund: I deserve it; just shocked at the amount

Ms. Moermond: it's a lot; you had a lot of opportunities to fix this problem; it's cheaper to hire a lawn service to fix it than to have the city do the work; city charges \$160/hr to mow the lawn

-are there 2 admin fees added into this?

Ms. Martin: \$284 for service charge; normally, it's \$162

Ms. Moermond: had no VIDEO of TGW removal; will decrease to \$466

Reduce from \$788 to \$466 (the tall, grass & weeds video did not play).

Referred to the City Council due back on 1/2/2019

- 24** [RLH TA 18-461](#) Ratifying the Appealed Special Tax Assessment for property at 883-893 PAYNE AVENUE. (File No. J1815A, Assessment No. 188544)

Sponsors: Bostrom

Approve; no show (2x)

Referred to the City Council due back on 10/3/2018

- 25** **RLH TA 18-542** Ratifying the Appealed Special Tax Assessment for property at 1098 SEVENTH STREET EAST. (File No. J1902A, Assessment No. 198501)

Sponsors: Bostrom

Thao Yang, owner, appeared. (Mai Vang interprets.)

Supervisor Lisa Martin:

Cost: \$344.00

Service Charge: \$162.00

Total Assessment: \$506.00

Gold Card Returned by: THAO YANG

Type of Order/Fee: EMERGENCY SA

Nuisance: LARGE POOL IN FRONT YARD NOT MEETING CITY SAFETY CODES.

Date of Orders: 6/19/18

Compliance Date: 6/22/18

Re-Check Date: 6/22/18

Date Work Done: 6/22/18
Work Order #: 18-074667
Returned Mail?: No
Comments: Photos in file
History of Orders on Property:

Ms. Moermond: for staff, when an emergency order of this type is issued, obviously, it goes in the mail but is it also posted on the house or pool? How would somebody know that there's an emergency Order?

Ms. Martin: a big yellow placard is posted on the front of the property giving the same information as the Notice; we try to contact the owner, too

Supervisor Joe Yannarely: Inspector Suon notes: "On Jun 18, I was able to get a hold of the responsible party; he said that he will take the pool down when he gets home today; I will check for compliance first thing tomorrow, Jun 19; I left a business card on the door; I will also leave the official Orders to PO & Occupants"

Ms. Martin: any outdoor pool, 24 inches + deep or 150 sq.ft + of surface area that is not fenced in becomes a drowning hazard & requires a 4 ft fence surrounding a pool or property with a lock

Ms. Moermond: photos show a tall fence (6 ft) along one side the property & a 45 inch tall fence around the rest of the property; there's a gap of 18-24 inches wide between the 45 in & 6 ft fence with chicken wire about 1 1/2 - 2 feet tall

Ms. Martin: and they still have a ladder located next to the pool so somebody could get into the yard, climb up the ladder & fall into the pool

Ms. Moermond: right; don't see specific photo of gate but it looks like it has just a flip-up handle, not a pad lock

Mr. Yang: he doesn't think it is fair to pay this because he did not get Notice until the 21st; saw it Jun 22 & one of his children went out to the property to take a look & the pool was already gone; so, his son called the inspector right away & asked why such short Notice; the inspector told him that he had already talked to the tenant twice, who told the inspector that he would take care of it

Mr. Yannarely: maybe we should call Stephan to see who the responsible party was

Mr. Yang: his brother & father moved out of the house then, they rented to a tenant, now, his dad passed so, he went to the county & put the house in his name; he is trying to get information about the tenant to contact him; he tried but tenant did not respond

Ms. Moermond: city inspector spoke with tenant; no one listed on Fire C of O but there isn't any one who is responsible party; this is a rental property & you have to have a Fire C of O

-will recommend approval; the house was posted with an emergency abatement order
-he can work this out with the tenants

-Mai, give him an application for a Fire C of O

Ms. Mai Vang: (Mr. Yang kept conversing with Mai)

-I asked him to call me before the City Council Public Hearing; we'll have an interpreter

for him
 -house is vacant; the inside is all damaged; needs a lot of fixing

 Approve the assessment.

Referred to the City Council due back on 1/2/2019

- 26 [RLH TA 18-526](#) Ratifying the Appealed Special Tax Assessment for property at 1803 SHERIDAN AVENUE. (File No. J1902A, Assessment No. 198501)

Sponsors: Tolbert

Approve; no show.

Referred to the City Council due back on 1/2/2019

- 27 **RLH TA 18-539** Ratifying the Appealed Special Tax Assessment for property at 1238 THIRD STREET EAST. (File No. J1902A, Assessment No. 198501)

Sponsors: Prince

Rescheduled to October 16, 2018 @ 9 am per owner's request.

Laid Over to the Legislative Hearings due back on 10/16/2018

- 28 **RLH TA 18-538** Ratifying the Appealed Special Tax Assessment for property at 534 VAN BUREN AVENUE. (File No. J1902A, Assessment No. 198501)

Sponsors: Thao

Brenda Albert, owner, appeared.

Ms. Albert: we inherited that house but my step-mother has a life time interest & this is her home

Supervisor Lisa Martin:
 Cost: \$310.00
 Service Charge: \$162.00
 Total Assessment: \$472.00
 Gold Card Returned by: BRENDA ALBERT
 Type of Order/Fee: SA
 Nuisance: OLD TV SET ON BLVD
 Date of Orders: 6/19/18 Insp Westenhofer
 Compliance Date: 6/26/18
 Re-Check Date: 6/26/18
 Date Work Done: 6/28/18
 Work Order #: 18-077217
 Returned Mail?: No
 Comments:
 History of Orders on Property: 10 EXTERIOR AND 2 INTERIOR COMPLAINTS IN LAST 2 YEARS.

Ms. Albert: I'm appealing because we didn't get the deed in our name until way after all of this happened; during that time, the inspector came in & went into her house, not just the outside; I requested that because the house was so filthy & it stinks so bad

that it's ridiculous

-finally, she has a worker & they will let her go into assisted living

-Sean has been very, very respectful; when there's something wrong, he calls me or I call him

-the problem we're having is that her grandson & his girlfriend are living upstairs; & now, she let her son start living up there & his ex-wife is downstairs with her

-her grandson has been parking their car in the yard; I yelled, screamed & begged; Sean asked, "What are we going to do with him?" I said, "I don't know; he won't listen to anybody; he thinks he's way above the law"

Ms. Moermond: today, we're dealing with the charges for an old TV on blvd

-Notice went to Occupant; Robert J. Krois; and Lawrence W. Aljets, your father (deceased)

-this is sounding like a C of O property

-your step mom has a life time tenancy & she has the right to occupy the house until she passes

Ms. Albert: re TV; we had to move the dumpster from the alley to the front; the old TV appeared & someone knocked it over; I'm disabled; I tried to pick it up; I told the Occupant 100 times to come & get rid of it; & all of a sudden the TV was gone; I was under the impression that her grandson finally got rid of it

Ms. Moermond: no; the city took it

VIDEO - crew removed TV from blvd

Ms. Moermond: I'm going to recommend approval; the city gave Notice & the city did the work; I'd be more sympathetic if you had a good history

Ms. Albert: these people are living in a home & they won't get out; they won't pay rent; they won't help her out at all; & she's a vulnerable adult; I'm scared of the people & so is she; I've been working with Lauren at House Calls (dumpster)

Ms. Moermond: if she's a vulnerable adult & you believe that she's being abused, there are people you can call to file reports; tell Lauren about your observations

Ms. Martin: provided number to start an investigation process; Ramsey County Adult Protection: 1/844-880-1574

Ms. Moermond:

Approve the assessment.

Referred to the City Council due back on 1/2/2019

Special Tax Assessments - ROLLS

- 29 RLH AR 18-78** Ratifying the assessments for Property Clean Up services during June 1 to 14, 2018. (File No. J1901A, Assessment No. 198500)

Sponsors: Brendmoen

Referred to the City Council due back on 1/2/2019

- 30 **RLH AR 18-79** Ratifying the assessments for Property Clean Up services during June 15 to 29, 2018. (File No. J1902A, Assessment No. 198501)

Sponsors: Brendmoen

Referred to the City Council due back on 1/2/2019

11:00 a.m. Hearings

Summary Abatement Orders

- 31 [RLH SAO 18-62](#) Appeal of Raymond Cermak Sr. to a Vehicle Abatement Order at 53 ATWATER STREET.

Sponsors: Thao

Raymond Cermak Sr appeared.

Supervisor Lisa Martin: Inspector Richard Kedrowski issued a Vehicle Abatement Order on Aug 27 for 2 gold Fords (lic plates: AZE 752 expired 7/19 & AZE 754 expired 3/19) parked on an unapproved surface in the rear yard (photos) - a grassy area; no site plan listed thru the city for approved parking in that area

Mr. Cermak: there is a lot of gravel underneath the cars; it's been there for years; it's ground stone - 1 inch in diameter & has been there since I bought the house 9 years ago

Ms. Moermond: if this was a 5 class parking surface, it is not that anymore; it has become overgrown & deteriorated to the point where it's no long a legal parking surface

*Mr. Cermak: I'd like to be able to put down new gravel; I can come up with the money for gravel but when I talked to the inspector, he said that my only options were cement, asphalt, pavers - and that's a lot of money where gravel fits more in my budget; I cannot work because of my health but I do need the parking because since they put all those car out on the street - have several rental units - people are renting rooms out in those new houses; some have 5-6 cars at some of these houses that are parking on the street & now the church is busier with Wed & Sun services & a lot of fundraisers; it's hard to park in front of your house
-I do have a garage - there's 1 car in there, a 2014 fender bender & 2 motorcycles; so, I don't have room for a 2nd car in there*

Ms. Moermond: looks like you have 2 cars parked in the yard, so, you have a total of 3 cars

Mr. Cermak: I'm trying to sell one of those & my son is using the other one for work

Ms. Moermond: so, you have a lot of cars, too

Ms. Martin: gave Mr. Cermak the requirements for paving a residential parking area along with the site plan information; in that area, I don't know if he'd even meet the setback requirements; you need to contact the Zoning people based on what Ms. Moermond's recommendation will be

Mr. Cermak: my deck is in 2 stages; I plan to cut the added 2nd part off; it's 12'4" x

5'2" - I'll have more room for my 2 cars

Ms. Moermond: I'd like more zoning history on the parking space

Ms. Martin: there's no zoning history at this property but I can go back & take a look at the paper files

Ms. Moermond: maybe, historically, there was an approved single parking space beside the garage there; we may be able to accommodate that it could be re-graveled but I don't see that Zoning would approve the entire area; I know they wouldn't approve the gravel surface but we could say that it comes under maintenance if they approved the parking; if there is no previous record of an approved parking area there, you will need to get approval; the alley is black topped so then, the city wants to see the parking spaces black topped also

-Ms. Martin will check the paper records

-I don't see any more than 1 space there but it's Zoning's decision

Mr. Cermak: wants the city to check out 46 Winnipeg W parking space

Ms. Moermond: we'll have it checked out

-we'll continue this to Nov 2, 2018 LH; we'll have better info about what you can do

Layover to October 2 @ 11:00 a.m.

Update: Lisa Martin reviewed the old files and there is no site plan or approved parking next to the garage.

Laid Over to the Legislative Hearings due back on 10/2/2018

32 [RLH SAO 18-69](#)

Appeal of Cynthia Johnstone to a Vehicle Abatement Order at 1352 SEVENTH STREET WEST.

Sponsors: Noecker

Cynthia Johnstone, tenant, appeared.

Supervisor Lisa Martin: a Vehicle Abatement Order was issued Sep 5, 2018 by Inspector Mark Kaisersatt for 3 vehicles parked with expired tabs & inoperable; one is missing some parts; compliance Sep 20, 2018; no photos

-vehicles: Green Mercury 025 WMT; Tan Ford RV A4820; and Gray Chevrolet 699 EWN

Ms. Johnstone: this is a triplex; the Gray Chevy has been taken care of by the owner; the small RV is mine & the Green Mercury also; it has an appointment to get repaired; it will be picked-up on Nov 9; when I went to get tabs for the RV, he told me that I didn't need to buy them until I was going to use the van again

Ms. Moermond: that's for taking it on the road

Ms. Johnstone: I have to fix it up because somebody put a nail in my tire; somebody broke the window on it; there are things that I need to fix on it; I don't plan on going anywhere until next summer; I also was hit in the parking lot at Cub Foods; some lady back up & hit my leg & everything; I was so stunned, I didn't get her name

Ms. Moermond: the RV has some damage; the Inspector wrote that it lacked current

tabs & appeared inoperable

Ms. Johnstone: it's not inoperable; I just took the battery out but it can start if I put the battery back in; batteries have been stolen out of cars in the area; I chained the battery down in the green car

Ms. Martin: it sounds like the RV is being used for storage or possibly being lived in by her son & his wife, who are homeless; I want to make sure that nobody is living in the RV

Ms. Johnstone: they're storing things in the RV; they're homeless; I can't do much with it inside until they get their things out of there

Ms. Moermond: where are they staying?

Ms. Johnstone: I don't know; they are not staying in the RV; it's full of household things; I can't even get into it

Ms. Moermond: so, Senior Repair help is coming for the green car on Nov 9, 2018 to fix it up for you; are you going to get current tabs before they pick it up?

Ms. Johnstone: yes

Ms. Moermond: you will have tabs on it by Nov 9 & it will be picked up Nov 9; so, on Nov 10, you better have it tabbed, repaired or gone (with the repair people); so, that's how I'm going to handle that one

-the RV: the Dept of Transportation is right that if you're driving down the road, you need current tabs but the city code is clear: you can't have a broken down vehicle on your property without current tabs; so, you'll either need to get it fixed & have current tabs on it or you need to get rid of it; how long will it take you to take care of that?

Ms. Johnstone: they will need time to take their things out; I want to use it next summer; I need to buy a tire & get the tabs; I'll just put the battery back in - chain it down

Ms. Martin: we'll come back out to make sure that the RV starts, that it can move to see that all the tires are working, that it's secure - no broken windows & that it's safe - no doors hanging off

Ms. Johnstone: that will take me time; I also have the city coming out Oct 25 for a house inspection

Ms. Moermond: Nov 10 deadline on the car; sounds like you want to have until next summer to work on the RV & I'm not willing to wait that long

Ms. Johnstone: I can start working on that after the housing inspection in Oct

Ms. Moermond: Nov 10 deadline on the green car; I will say that everything needs to be addressed by Nov 16, 2018; if not, the city can tow them away

Grant to November 16, 2018 for both vehicles to be gone or must be operable and have current tabs.

A new resolution to determine if the vehicles are abated will be scheduled for Legislative Hearing on November 20, 2018 and City Council Public Hearing on November 21.

Referred to the City Council due back on 10/3/2018

- 33 [RLH SAO 18-64](#) Making finding on the appealed nuisance abatement ordered for 1729 RANDOLPH AVENUE in Council File RLH SAO 18-44.

Sponsors: Tolbert

Lisa Martin: the nuisance condition is abated and the matter is resolved.

Referred to the City Council due back on 10/3/2018

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 34 [RLH VO 18-44](#) Appeal of William Dunnigan to a Notice of Condemnation-Unfit for Human Habitation-Order to Vacate at 754 BLAIR AVENUE.

Sponsors: Thao

No one appeared.

Recommend that the appeal be granted on the condemnation and that the property be released from the vacant building program based on Inspector Neis's visit to property; continue for one week to September 25, 2018 at 11:30 a.m. to give owner a chance to look over the amended orders and deadlines to decide if he wants to appeal them.

Laid Over to the Legislative Hearings due back on 9/25/2018

- 35 [RLH VO 18-48](#) Appeal of Raul Torres to a Re-Inspection Fire Certificate of Occupancy with Deficiencies, including Condemnation at 620 OAKDALE AVENUE.

Sponsors: Noecker

Raul Torres, tenant, appeared.

Fire Supervisor Leanna Shaff: this was laid over for 2 weeks to reduce content by 50% & to further discuss plans for making repairs for the balance of the items

Ms. Moermond: what are the plans?

Mr. Torres: I called the House Calls Program; I got a dumpster; we already put out over 50% but I don't want to stop there; it's breaking my wife's heart but she understands that she needs to get rid of the stuff people have left to her

Ms. Moermond: you can call House Calls & ask them for another dumpster

Ms. Shaff: I'd like to give them the benefit of more time to even reduce the content more

Ms. Moermond: unsanitary conditions was also in the Orders - the cats; what's going on with that?

Mr. Torres: we have 2 adult cats with 3 baby cats; we're going to take them to the place where they don't put them to sleep

Ms. Moermond: you can have up to 3 adult cats; there's an organization called Kindest Cut; they will do free spaying & neutering of pets

Ms. Moermond: you're going to get a 2nd dumpster; the cat situation is moving along; you are really taking care of business on this; how about 3 weeks for an inspection to check?

Mr. Torres: some lady is coming over today at 2 pm from House Calls

Ms. Moermond: schedule an appointment in 3 weeks to make sure the clutter is gone; we can give a long period of time for the repairs

Mr. Torres: I'm disabled; you can call me any time for an appointment

Ms. Moermond: 3 weeks is on Oct 9, 2018 so, somewhere around that date, you & Ms. Shaff will connect about having an appointment

Ms. Shaff: & you'll make a recommendation based on my recommendation after the inspection (?)

*Ms. Moermond: yea; I think that would be best
-we will talk again on Oct 16 LH about another set of deadlines to finish out the Orders.*

Recommendation is forthcoming.

Laid Over to the Legislative Hearings due back on 10/16/2018

36 [RLH VO 18-49](#)

Appeal of Lynn Fagerness to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1127 RAYMOND AVENUE.

Sponsors: Jalali Nelson

Lynn Fagerness appeared.

(This recording is not very good.)

Ms. Fagerness: this property is a 6-plex; it's owned by the Estate of James Gilbert; I'm the personal representative of the estate

Ms. Moermond: is this the same Gilbert who owned 1119 Raymond & is the construction technique the same?

Ms. Fagerness: yes & yes

*Fire Supervisor Leanna Shaff: photos in file
-Fire Certificate of Occupancy Inspection with a Revocation by Fire Supervisor A.J. Neis
-Correction Orders dated Jun 1, Jul 20 & the Revocation on Aug 17 to repair or vacate*

by Sep 1, 2018

-3 items are left on the Orders: roof needs to be replaced; metal staircases are rusted through & not properly anchored; & Units 4 & 5 are not to be occupied until inspected by our office

Ms. Fagerness: A.J. was in Units 4 & 5

Ms. Moermond: photos of staircase show rust & deterioration; what role do they play in mandatory exiting for the units?

Ms. Fagerness: Units 4 & 5 are not occupied & Unit 6 is on the upper level & is currently occupied; this staircase is the main entrance for Unit 6; each unit has it's own private entrance; Unit 6 has the wood timbers

Ms. Shaff: with Unit 5 not being occupied; Unit 6 is no longer supported; it's quite scary for, not only the residents but for Emergency Responders

Ms. Moermond: I can't tell from the photos, which stairway is associated with Unit 6

Ms. Shaff: it wasn't apparent to me either; you can come look at my photo; it's very concerning to me when I see these; is it bolted to the building & failing? excessive rust; I don't believe those timbers were necessarily original; looks like it's failing between ___ from moisture infiltration; I'm guessing that there might not be rebar in the concrete because of the metal under it; this isn't going to get any better; concrete will be porous

Ms. Moermond: looking at the photos or what the Orders say, I don't have a sense of just how dangerous this is in terms of whether or not that stairway should be condemned; I don't have a sense of urgency; is this red hot or is this yellow?

Ms. Shaff: it's very concerning to me (photos); it looks like supporting structures are failing

Ms. Moermond: we should have Brian Karpen look at it; if we can't get him, we can get Steve Ubl to look at it; does it need to be Condemned?

-I will Lay this Over for a week to get a professional assessment of it's safety

-the Order is obviously correct

-you've been seeking bids on the roof (?)

Ms. Fagerness: it's just frustrating like everything else; there was a tax law changed where if you had your roof done this year, it's tax deductible; so a lot of people are having their roof done

-it's been hard to get bids; & I get early 20's repair dates; Fisher Roofing estimated \$75,000 - \$80,000; I asked for it in writing again & again; I still haven't gotten it;

Ms. Moermond: is there leaking going on in the 2nd floor?

Ms. Fagerness: yes; this is a ___ roof; around the edges, from freezing-melting, it peeled it back when it snows & when it rains; it's block construction.....

-we had the roof repaired where there was very rare water infiltration except when it was super, super heavy rain; this past winter, it just

-I have a proposal for the 1st week in Oct from Walker Roofing, weather permitting but we're still trying to work out things in the proposal like skylights (they don't make that assembly anymore & we have only 1 brand new one)

-I met with Brian McConnell last week; he was supposed to have his expert skylight person come back out but

Ms. Shaff: is it getting wet in Unit 6?

Ms. Fagerness: she hasn't said that there's water coming in

Ms. Moermond: I'm looking at a Revocation for noncompliance; we don't have a professional assessment yet about the urgency of the situations: roof & stairways; the roof & the flow of water is concerning to me if the water is flowing thru the cinder block & this is the same construction as 1119 Raymond & if that is where your electrical conduit is; we need to get an engineer out there; he can look at the stairway; I'm not sure how to do an assessment of the roof

-we'll talk again on Sep 25 at 11:30; we'll have an engineer's report

Ms. Fagerness: they can call me to gain access but there's no hatch to access the roof; you have to get a ladder to get onto the roof

-her documents were scanned

Ms. Moermond:

Recommendation is forthcoming.

Laid Over to the Legislative Hearings due back on 9/25/2018

- 37** [RLH VO 18-47](#) Appeal of Zulema Contreras to a Correction Notice-Complaint Inspection (which includes condemnation) at 594 BRUNSON STREET.

Sponsors: Brendmoen

Staff report

Leanna Shaff:

-Talked to Xcel this morning and the power is still off.

Marcia Moermond:

-we went until the end of the month to October 1 to restore power or property must be vacated

-we got information that the gas was also turned off

-want to attach to the record so that both gas and electric need to be restored by October 1 in order to maintain occupancy

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

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 38** [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

No one appeared.

Recommendation is forthcoming.

Laid Over to the Legislative Hearings due back on 10/2/2018

39 [RLH FCO](#)
[18-169](#)

Appeal of Sarah & Ben Snook to a Fire Inspection Correction Notice at 413 GRAND AVENUE.

Sponsors: Noecker

Benjamin Snook, owner & Sarah Snook appeared.

*Fire Supervisor Leanna Shaff: Fire Certificate of Occupancy Correction Notice conducted by Inspector Laura Huseby; 14 items of the deficiency list
-appellants are looking for more time
-first set of Orders were written in Jul 2018
-photos of garage*

Ms. Moermond: what's your plan?

Ms. Snook: to bring down the garage & make a parking pad; the contractor that we were working with went to the city & came back & told us that instead of making a parking pad, everything had to be back-filled; so, if we wanted to put a new garage there or not, it would be filled with dirt; & it would require almost an additional \$2000 on top of what they had originally quoted us; so, they advised us to continue to speak to the city, get more bids, which I have gotten; & maybe we can figure out who they spoke with; maybe we can make that space workable for our tenants for additional off-street parking because that's always a concern

Ms. Moermond: the terrain there is hilly

Ms. Snook: it's a hill on the back side; the 2 apartments bldgs on either side of our property have their parking lots with no re-enforcement about the same distance back as the back of our garage - 20 feet back further

Mr. Snook: half of our rear lot has a retaining wall already; the slope comes down to about 4 feet high, then, the garage on the north corner sits back into that space

Ms. Moermond: this is not the kind of thing that I've heard before

Mr. Snook: I think that the contractor, Garage Doors Plus, who didn't really do these kinds of things, was trying to sub it out on our behalf & I'm not sure that our message got communicated to their sub when they went to the city

Ms. Moermond: so, you just want to remove the garage & have it be a parking pad; what kind of bid did they give you?

Ms. Snook: it was \$3800 plus what it would cost to tear out the slab & put in new dirt (\$1800) so, a total of approximately \$5600

Ms. Moermond: provided the name of Joe Yannarely, who works with the VB Program, 651/266-1920 & he manages all the demolition contracts for the city; he has a list of demo contractors who do this type of work; he is in the office until 9 am & he returns calls during the day; garages usually fall between \$1800-\$2000 range

Ms. Shaff: I'm seeing a big mess that absolutely needs to be addressed

Ms. Moermond: so the garage is coming down, what else?

Ms. Snook: exterior - windows need repair; a window frame also needs to be fixed; we're seeking a handyman for some work; tree debris needs to be removed; #7 a bolt needs to be changed; #6 plumbing stack has been addressed; #8 lawn mower listed as a gas mower is an electric lawn mower (deleted); #9 we were able to adjust the pocket doors; smoke detectors need to be replaced if 10 years old; #12 toilets were taken care of by a plumber

Mr. Snook: the smoke detectors are only a couple of years old

*Ms. Snook: I have the affidavit from Jul
-#14 we signed up for the Nov 3 Landlord 101 class; we are trying to make headway on these*

Ms. Moermond: getting the garage down within this construction year - that's reasonable (Dec 1, 2018); you've got a few items where you'll hire a handyman (#3, #4, #7) - by Nov 1, 2018

-
- 1) grant an extension until December 1, 2018 to remove the garage;*
 - 2) grant to November 1, 2018 to comply with Items 3, 4, and 7;*
 - 3) To address Item 7, owner may repair or block the door and put signage for tenants not to use as an entrance.*

Referred to the City Council due back on 10/24/2018

2:30 p.m. Hearings

Vacant Building Registrations

- 40** [RLH VBR 18-74](#) Appeal of Angelina Reese to a Vacant Building Registration Notice at 1365 ARKWRIGHT STREET, UNIT 5.

Sponsors: Brendmoen

Angelina Reese, owner, appeared.

Ms. Moermond: this was a Vacate Order that was appealed a long time ago

Supervisor Leanna Shaff: it was Condemned due to a lot of water infiltration - mold in the walls; missing sheet rock, missing insulation; no heat available; it was appealed Aug 14, 2018; at that time, Ms. Moermond recommended that it remain Condemned until the repairs were taken care of; then, it was sent to VB as a Category 2 - that was adopted by City Council on Sep 5, 2018

Supervisor Matt Dornfeld, Vacant Buildings: Inspector Tom Friel opened a Cat 2 VB per the Condemnation referral on Sep 4, 2018

Ms. Moermond: Ms. Reese, you indicated that when you filed the appeal, you had a Purchase Agreement with a closing date of yesterday, Sep 17, 2018

Ms. Reese: it was sold on Aug 24, 2018; at that time, we didn't know that it was a VB; we had no paperwork about any Vacant Building; we just knew about the fixes that needed to be done; the buyer already knew about the property; he wanted to do the repairs; then, a few days later, she discovered it was a VB dated Sep 6; is this the proper procedure?

Ms. Moermond asked Ms. Shaff for her assessment on these repairs & her description of some of the walls being open

Fire Supervisor Leanna Shaff: multiple trades are involved here; Inspector Schmidt was quite forthcoming to the property owner & to the association that this would become a Cat 2 VB

Ms. Moermond: procedurally, the unit you own was Condemned because of all the water damage & mold plus other code violations; you appealed that on Aug 14, 2018; I recommended that the Council deny your appeal noting that the unit was not occupied; the unit was for sale; on Sep 5, the Council denied your appeal; the very next thing that happens is that it gets sent to the VB Program; the one thing automatically leads to the other; it has nothing to do with a Purchase Agreement or trying to make things more difficult for you; it's an empty unit with major code violations; your buyer would have already known that the unit was Condemned; you had Encompass Engineering Consultants take a look at the damage of water infiltration; your buyer knew that

Ms. Reese: Inspector Shaff said, "building trades;" what exactly does that mean?

Ms. Moermond: that means that the damages will require several different licensed contractors from multiple trades to do the fixes; if it's obvious that multiple trades are involved, it's more clear to me that a Code Compliance Inspection is the way to go

Ms. Reese: I don't think that anyone can solve this problem; Insp Schmidt said it was a forthcoming issue with me & the association; he said that the water in the wall is actually due to the frost; I'm trying to get the Association to pay attention; they are blaming it on unit 2 & 3; I think that when they put on the new roof in 2012, they did not put in enough ventilation

Ms. Moermond: for the record, the report indicates "the cause of the water staining & possible microbial growth on floor, sheathing & within the wall cavity is consistent with prolonged water exposure resulting from condensation & exterior water intrusion. The condition of the windows & their insulation method is poor. The windows have gaps and openings at the jamb/sill intersections that allow water to migrate through the frame and into the rough opening below. No flashing or weather barrier was observed in the rough opening to protect the underlying wood structure below the window; this is a common condition for the age of the building but it allows water to migrate into the wall cavity. The chronic water exposure of the windows has caused deterioration of the wood window frame components and this has exacerbated the water entry. Sealant is not present at the joint around the window perimeters. The lack of sealant allows water to migrate into the rough opening and into the wall cavity below. Water staining that I observed on the bottom of the rough opening plates and on the wall sheathing and floor sheathing below the windows is a result of migration through windows and around the windows."

-that's just the windows; for each of the areas in the building, their talking about things; I know that you want to talk about the relationship of the water issues with the condo association but I need you to connect this to why you're appealing the VB registration

Ms. Reese: we've asked the association to get their own inspector to get a second opinion.....

Ms. Moermond: what does this have to do with this being in the VB program? Why are you appealing the VB registration?

Ms. Reese: I shouldn't be in the position to pay all these fees because the whole problem is out of my control; can the inspectors go into the attic space to help find the cause?

Ms. Moermond: the city of St. Paul does inspections connected to permit issuance & also for a VB - to address the items that need to be repaired to bring the bldg into code compliance - to make the bldg livable again; the city of St. Paul does not have inspectors to go out & act as consultants & look at the attic space to add to the engineering consultants' report that you already have; that's a private inspection that you would need to hire out

Ms. Reese: we did not close on the property yesterday; we have to complete the VB forms & get the code compliance inspection; the buyer wants that to be taken care of before they close

Mr. Dornfeld: summarized Sale Review: for the perspective buyer, the code compliance insp report will have to be on file; the VB fee will have to be paid; the buyer will have to show financial capability to make the necessary repairs; he will have to have an estimate from a licensed contractor & a time line on when the work will be completed; our Sale Review Officer, Reid Soley, will deal with all of that

Ms. Moermond: there's a little piece of information that Ms. Vang will add to the record that I wasn't aware of

Ms. Mai Vang: per Reid Soley, if the closing were to have happened yesterday, it would have preceded when the Purchase Agreement was signed, so they would not need to go through a Sale Review, but now, it didn't happen, so she will probably have to go through a Sale Review

Mr. Dornfeld: I'm reading Mr. Soley's notes on Sep 10, 2018: "There will be no Sale Approval required for Rock Rehab because an executed Purchase Agreement ___ documents preceded the designation of this property as a Cat 2 VB; however, no permits may be issued until a Code Compliance Report is completed and the VB fee is paid, assessed or waived. On Sep 12, 2018, a Code Compliance Inspection fee has been paid & received."

-I did not know Reid was involved with this until just now

-we're pretty close to having all the answers that Ms. Reese wants; all that's left is to talk about is the VB fee, in my opinion

Ms. Moermond: I will recommend granting a 90-day VB fee waiver from Sep 4, 2018; if no Code Compliance Certificate is issued within 90 days from Sep 4, 2018, then, the fee will be assessed

Deny the appeal but waive the vacant building fee for 90 days. Also, Legislative Hearing Officer is recommending a waiver of the requirement for a sale review but owner will need to apply for a code compliance inspection.

Referred to the City Council due back on 10/24/2018

41 [RLH VBR 18-73](#) Appeal of Tom DeLisle, Jr., Delisle Co. Realtors, to a Vacant Building Registration Notice at 1199 HANCOCK STREET.

Sponsors: Prince

Jeffrey DeLisle, DelCo Limited Partnership, owner and Roxanne Cash, office manager for DelCo, appeared.

Supervisor Matt Dornfeld, Vacant Buildings: this was Condemned by Code Enforcement Inspector James Hoffman on Aug 8, 2018 per a water shut-off notice; a Correction Notice was issued on Jul 31, 2018 to have the water restored; it was still off on Aug 8, 2018 & Insp Hoffman posted it Condemned and Vacated; he, then transferred it to the VB Program; Insp Friel responded on Aug 23, 2018 & opened a Category

-Insp Friel's notes: numerous code violations that are not represented in the Condemnation; this is a 1 1/2 story wood frame single family house that appears vacant; it is secure; Condemned & referred by Code Enf Insp James Hoffman for a water shut-off; there's a placard on the house; house has large holes in eaves, roof; defects in siding; peeling paint; missing broken & defective windows; storm windows & screens; while I was doing my inspection, the sewers were being tested & smoke was coming from holes in eaves indicating some interior plumbing problems; detached wood shed was open & in disrepair; tall grass & weeds, debris, tire & junk in yard -follow-up inspection on Aug 30, he states the bldg is vacant; shed remains open; tall grass & weeds & debris remain; spoke to Roxanne at DeLisle companies; she says they are in process of getting house back; wants to know why it's a Cat 2 VB; suggested that she file an appeal due the number of visible problems on the house; she said the house & yard was cleaned and cut

Ms. Moermond: so, there was a junk-out & the yard got mowed

Mr. Dornfeld: that's the way I read this; correct

Ms. Cash: we are requesting that the property be removed from the VB list or go to a Cat 1 VB; we weren't notified of the property having problems; we did not get notification that there was going to be a water shut-off; if we had, we would have taken care of the items; that smoke could have been because the water had been shut-off for about a month when they did the sewer testing; so, we turned the water back on; there's no more smoke is coming from the eaves

Ms. Moermond: I don't think that we can draw conclusions based on that

Ms. Cash: the property is in Cancellation status; Mary Nyberg had the house on Contract for Deed since Apr 2013; we issued a Cancellation on her for non-payment; we weren't aware that the property was vacant; she has until Oct 1, 2018 to contact our attorney; if she doesn't contact our attorney by Oct 1, then, by Oct 10, he said that he will be getting the property back for us at which time, we'll continue working on the problems that were cited; we already have gotten a bid for some of the roofing but it's been advised by our attorney not to do anything on the inside until we actually have the property back short of making sure that it's secure, which we have done; we cleaned up the yard; the shed doors are off or fixed; we're continually grooming; we have a contractor who goes every 2 weeks to all our properties

Mr. Dornfeld: our documentation that our mailings were mailed to Mary E. Nyberg, 1199 Hancock Ave E

Ms. Cash: we always get notified; normally on the bottom here (points), it has us listed like this one does but that one..... we got a copy of it from the water dept & our name wasn't on there, just Mary's

*Ms. Moermond: there were multiple violations observed on the exterior; I'm not sure what the inside is like; we have reason to be suspect of the plumbing (?) the person who'd been living here, obviously, had financial problems & wasn't able to keep up payments on the house & wasn't able to maintain the exterior; we already know that the roof needs to be fixed; it does meet the definition of a Cat 2 VB? it has major code violations; it is empty; & it was Condemned
-the city notifies who Ramsey County has on their record; it automatically pops into the city's records; no one is making a choice on this;*

*Mr. Dornfeld: Ramsey Co shows Mary E. Nyberg, 1199 Hancock Avenue East as the owner; it does not show DeLisle; you can come & look
-normally, it has the responsible party as the 2nd name/address*

(Mai Vang located Ramsey County tax records during the hearing which did show DelCo listed as an owner, in addition to Mary Nyberg)

*Ms. Cash: we will need to get that fixed with Ramsey Co
-our intention is to get the necessary repairs done & then sell it; we already know that the roof needs to be fixed*

Ms. Moermond: the listed items are the major code violations that he used to make a determination that there were major code violations

Mr. Jeffrey DeLisle: our licensed contractor would make repair decisions for us; he deals with inspectors all the time; we presume that he'll know what needs to be done

Ms. Moermond: what is the criteria that your licensed contractor uses to know what needs to be done?

Mr. DeLisle: whatever is state law; we're going to get a TISH

Ms. Moermond: my decision will be forthcoming; you'll get a letter from Mai Vang

Deny the appeal but waive the vacant building fee for 90 days. A code compliance inspection is required.

Referred to the City Council due back on 10/24/2018

42 [RLH VBR 18-71](#)

Appeal of Janette Hillard to a Vacant Building Registration Notice at 466 SARATOGA STREET SOUTH.

Sponsors: Tolbert

Janette Hillard, owner & her daughter, Diane Baluczynski, appeared.

Ms. Moermond: conditions had deteriorated significantly while your mom was living there & you mentioned some cognitive issues that complicate matters; & she's now moved out of the home

Ms. Baluczynski: she's living with us now; we've been working on the house; have

photos of what it looks like now; we've had a crew of 5 people come last Sat & they worked for 5 hours & filled a dumpster, they cleaned the carpeting & went thru a lot of stuff; it's pretty habitable right now

Supervisor Matt Dornfeld: DSI received a complaint on Apr 9, 2018 that states: House Calls has received this complaint about an elderly person in a hoarded home from Adult Protection

-Inspector Lisa Martin responded on Aug 10, 2018; her notes state: stop to do an interior; no answer, however, Adult Protection & Ramsey County House Calls sent photos to me; to get funding, the owner will need Orders; sending a Correction Notice with a short time frame to get assistance & we can extend the Orders & update the Orders; Ms. Martin issued Orders, I believe, to clean out the interior of the home & also the exterior

-on Aug 16, 2018, she re-checked the property, met with Ramsey County Crisis Team & Lauren from House Calls; the home is filled with flies, rotten food, gross hoarding conditions; Condemned the home; took photos; gave PO's daughter my card to contact; transferred to Vacant Buildings

-I opened a Category 2 VB that same day due to that report & advised Ms. Baluczynski to file an appeal

Ms. Baluczynski: we would like mom to return to her home as soon as it's been inspected & approved; we're not sure if she'll stay there or how long she'll stay there; we're working on getting an assessment for her to get help to stay in her home; there's still some cleaning to be done but it looks pretty livable; Fire men came by this morning to install CO/smoke detectors & they were surprised that it had been in the kind of condition that had to be Condemned

Ms. Dornfeld: brought up the original photos

Ms. Baluczynski: showed pictures on her phone of what the home looks like now: bedroom; carpet needs work; kitchen/dining area; living room; dumpster; we've been working there for the last 4 weeks

-mom has been in her home for 30 years; at one time, she had to take a reverse mortgage; she has about \$5000 in checking; taxes are due in a few weeks; that's all she has; it would be a financial burden for her to have her pay that fee

Ms. Moermond: how long since you were in your mom's house? How did we end up getting to this place without you knowing?

Ms. Baluczynski: I was living in Iowa; my sister was helping mom but their relationship got strained; my brother took her shopping, out to eat, etc; when we came up, we'd just pick her up; I knew that it was bad but I didn't know how bad it was; she was hiding it -mom is very independent; she doesn't like to ask for help; she bought a washer/dryer; they took off the door to the basement & took the washer downstairs & balanced the door up against the back door; she couldn't get out her back door all winter but she never said anything to any of us; she really didn't want us to help her

Ms. Hillard: that's true; I didn't want to ask for help

Ms. Moermond: It looks to me like there's still an area or two that's kind of piled up

Ms. Baluczynski: the one bedroom still has things in it that haven't yet been dispersed; today, we went thru dressers & thru things out & some clothing will have to go, too; she has a garage that she doesn't use; we can use that for storage; & Lauren

said that we could have 2 more dumpsters; so, maybe we'll be using them

Ms. Moermond: perhaps, Mr. Dornfeld could assess the livability in a few weeks after more work has been done; I want to give you a chance to make the home as presentable as possible to Mr. Dornfeld; he will make sure that the basic things are working for someone to live there; he will check things to determine if you should be in the VB Program or if we could make some other accommodation; if the hoarding & gross unsanitary conditions are addressed & there wasn't any big plumbing, electrical or building things underlying all of that, then, I'm feeling better about it; if there are big problems, we would need to deal with that

Mr. Dornfeld: I'm anticipating this inspection will be successful; what I'd like to know is there a plan moving forward so that we don't have a relapse

*Ms. Baluczynski: we're working on that; next week mom is having a psychological exam, which will help us; then, we're trying to get her some help with shopping, laundry, washing dishes; & things are better with the other sister now; she's been helping quite a bit; she lives in Roseville; I live in Big Lake
-more than 50% of the piles was paper that she was not dealing with for a while*

*Ms. Moermond: talked about the danger of hoarding & the increased likelihood of a fire because there's so much paper
-will recommend waiving the VB fee for 90 days*

Waive the VB fee for 90 days.

Laid Over to the Legislative Hearings due back on 10/2/2018