



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
*Jean Birkholz, Hearing Secretary*  
*legislativehearings@ci.stpaul.mn.us*  
*651-266-8585*

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Tuesday, October 2, 2018

9:00 AM

Room 330 City Hall & Court House

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#### Special Tax Assessments

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

- 1 [RLH TA 18-553](#) Ratifying the Appealed Special Tax Assessment for property at 275 CLARENCE STREET. (File No. VB1901, Assessment No. 198800)

**Sponsors:** Prince

*Sonny Batha, property owner appearing.*

*Ms. Moermond: The Gold Card was returned by Sonny Batha? Come have a seat. There's a sign-in sheet. I'm going to start with the staff report by Mr. Yannarely. What can you tell me about this property?*

*Mr. Joe Yannarely: This is a Category 2 vacant building. It's been in the system since May 6, 2013. There's multiple open permits. It looks like there's a lot of work being done. This is just for the cost of vacant building fee of \$2127 plus a charge of \$157 for a total charge of \$2284. There's been no issues at the property as far as maintenance goes for a long time.*

*Ms. Moermond: Mr. Batha, you are appealing the assessment. Can you tell me why and what you are looking for?*

*Mr. Batha: I have talked to Joe about doing extensions. Basically I am not sure what to really expect, but I was hoping to maybe get another extension or I don't know exactly where the rating is, get another rating. I've been wrong on all my dates for finishing it but it's pretty close to all the final inspections and I should be done before the end of the month. So I don't know.*

*Ms. Moermond: OK. Just doing a little bit of quick math, this property has been in the Vacant Building Program now, for you, for about five months. It sounds like, in the next 30 days, you will get your finals and your permits. So, talking about six months out of the 12 that are billed. The whole year is what the fee is for. I like to prorate it to encourage people to cross the finish line more quickly which is what you want to do as well. But I can put a carrot in there, in this case, it's an \$1100 carrot for you to do that. If you can get your permits finalized by close of business on November 9, I will cut this in half.*

Mr. Batha: OK

Ms. Moermond: Any questions?

Mr. Batha: No.

Ms. Moermond: All right. Good luck.

Mr. Batha: Thank you.

If the owner gets the permits finalled by close of business on November 9, Legislative Hearing Officer recommends cutting the assessment in half from \$2,284 to \$1,142.

**Laid Over to the Legislative Hearings; due back on 11/20/2018**

- 2**      **RLH TA 18-556**      Ratifying the Appealed Special Tax Assessment for property at 171 GRANITE STREET. (File No. VB1901, Assessment No. 198800)

**Sponsors:**      Brendmoen

No show

..Tax Assessment Worksheet

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: RICHARD BERGET

Type of Order/Fee: VB FEE

Nuisance: VB FEE

Comments: VB 2 FILE OPENED 4/19/17.

History of Orders on Property: NONE

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Approve the assessment; no show.

**Referred to the City Council; due back on 1/9/2019**

- 3**      [RLH TA 18-565](#)      Ratifying the Appealed Special Tax Assessment for property at 121/123 ISABEL STREET EAST. (File No. J1901A, Assessment No. 198500)

**Sponsors:**      Noecker

Approve; no show

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

- 4**      [RLH TA 18-549](#)      Deleting the Appealed Special Tax Assessment for property at 64 JESSAMINE AVENUE EAST. (File No. VB1901, Assessment No. 198800)

**Sponsors:**      Brendmoen

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: Peng Sue Yang, Peb Hmoo LLC

Type of Order/Fee: VB Fee

Nuisance: Unpaid VB Fee

Date of Orders:

Compliance Date:

Re-Check Date:

Date Work Done:

Work Order #: 16-026060, Inv # 1359643

Returned Mail?: No

Comments: On September 5, 2018 City Council adopted RLH VBR 18-48 to grant until August 22, 2018 for owner to receive his code compliance certificate and vacant building fee will not be processed as an assessment. VB file was closed on August 3, 2018 but the fee was processed; therefore, the assessment should be deleted.

Ms. Moermond: So for 64 Jessamine. It says DSI recommends deletion?

Mr. Joe Yannarely: On September 5, 2018, City Council adopted to grant to until August 22 for the owner to receive his Code Compliance Certificate and Vacant Building Fee will not be processed as assessment vacant building files close on August 3 meeting the requirement therefore the assessment should be deleted.

Ms. Moermond: Perfect. So recommended.

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Delete the assessment, as the City Council adopted to grant to January 2

**Referred to the City Council; due back on 1/9/2019**

- 5 [RLH TA 18-519](#) Ratifying the Appealed Special Tax Assessment for property at 685-687 MARYLAND AVENUE EAST. (File No. VB1815, Assessment No. 188824)

**Sponsors:** Bostrom

Reducing the assessment from \$2,284 to \$1,142 and make payments over a three year period.

(No one appeared; was a LO from Sep 4, 2018 LH.)

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

- 6 [RLH TA 18-554](#) Ratifying the Appealed Special Tax Assessment for property at 1486 MIDWAY PARKWAY. (File No. VB1901, Assessment No. 198800)

**Sponsors:** Jalali Nelson

Approve; no show

**Referred to the City Council; due back on 1/9/2019**

- 7 [RLH TA 18-557](#) Ratifying the Appealed Special Tax Assessment for property at 1551 RUTH STREET. (File No. VB1901, Assessment No. 198800)

**Sponsors:** Bostrom

Robert Slings, owner, appeared.

Supervisor Joe Yannarely:

Cost: \$2127

Service Charge: \$157

Total Assessment: \$2284

Gold Card Returned by: ROBERT SLINGS

Type of Order/Fee: VB FEE

Comments: 7/6/15 VB 2 FILE OPENED. SOME OPEN BUT INACTIVE PERMITS AND EXPIRED PERMITS.

History of Orders on Property: 2 WORK ORDERS IN 2015

Ms. Moermond: sounds like you've been slowed down in the work

Mr. Slings: I've had health issues since I purchased the property in Dec 2015 that have not made my life better; I've slowed down greatly; right after I took possession, we were in a severe car accident that left me with a head injury that has given me severe headaches and dizzy spells that I've been suffering with ever since; so, my ability to do some of this work has been limited & this spring, I tore a tendon in my foot; I've had some issues with paying people to come & they take my money & I have to find someone else to do the work

-plumbing final will take place next week

-I'm trying to get my electrician to come back but he doesn't respond - not sure if I might need to find another electrician & get another permit (?)

-the house is very close to being finished but the garage needs new siding & a new roof; that work is starting Fri, the 5th

-my landscapers have been trying for over a month to get a very small job done but with all the rain, they can't get in there

-so, I'm just at the mercy of a lot of people right now

Ms. Moermond: was your idea to rehab & flip it?

Mr. Slings: yes

Mr. Yannarely: I see a Ryan Plumbing expired permit from 4-27-17; I see a finalized mechanical permit for replace furnace venting from Nov 2016; I see an open permit for bath remodel & kitchen remodel from 2016; & a roof tear off with new shingles from 2016, as well

Mr. Slings: I spoke with the plumbing inspector, who was out there & did the prelim & I got an extension on that permit; when that extension was about to expire, I called the inspector & he said, "Don't worry about it; I'll re-open that permit;" that was the last conversation I had with him; I think that was in Apr

Mr. Yannarely: the code compliance inspection is dated Sep 24, 2015 (expired)

Ms. Moermond: are the bldg permits open or inactive?

Mr. Yannarely: they're just open from Nov 2016

-did you do the roof tear-off?

Mr. Slings: yes; when I called for the final, he said that he would just do that when he did the final inspection for occupancy; I told him that I had pictures; he told me to hang on to them - he didn't want to drive over just for that; so, I did not worry about that permit

Ms. Moermond: since your code compliance inspection has expired, you need to talk

with Jim Seeger, 651/266-9046, before 9 am about getting a new code code compliance insp; talk to him about the permit situation, too;  
 -you are 3 months into the year; if you can get the work done in 90 days & get a code compliance certificate issued by Jan 1, 2019, I can recommend cutting the VB fee in half  
 -Mr. Seeger may allow you to continue to work off your open permits but if there are still permits that need to be pulled, I don't know if he may want you to get a new code compliance inspection; talk to Mr. Seeger proactively  
 -this will go to City Council on Jan 9, 2019

If the owner can get the code compliance certificate by January 1, 2018, the recommendation will be to cut the assessment in half from \$2,284 to \$1,142.

**Referred to the City Council; due back on 1/9/2019**

**8**      [RLH TA 18-555](#)      Ratifying the Appealed Special Tax Assessment for property at 1526 SCHEFFER AVENUE. (File No. VB1901, Assessment No. 198800)

**Sponsors:**      Tolbert

*Heidi Raschke, property owner appearing.*

*..Tax Assessment Worksheet*

*Cost: \$2127*

*Service Charge: \$157*

*Total Assessment: \$2284*

*Gold Card Returned by: HEIDI RASCHKE*

*Type of Order/Fee: VB FEE*

*Nuisance: VB FEE*

*Comments: VB FILE OPENED ON 1/10/18 (FIRE EXEMPT).*

*History of Orders on Property:*

*01/10/2018: 90 days Fee Waive - Vicki Sheffer - Waive fee 90 days due to fire. MK*

*04/10/2018: 90 days Fee Waive - Vicki Sheffer - Continue wavier 90 days per inspector MK.*

*Ms. Moermond: It looks as though we had a fire here, Mr. Yannarely.*

*Mr. Joe Yannarely: Right. This is was a Category 1 fire exempt opened January 10, 2018. Two 90 day extensions were granted. Further extensions go through you. The cost of the Vacant Building Fee is \$2127 and the service charge is \$157, for a total assessment of \$2284.*

*Ms. Moermond: OK. So, the fire was pretty bad?*

*Ms. Raschke: Real bad.*

*Ms. Moermond: Tell me what's going on. There's kleenex in the drawer. Go ahead, you are the only one in here, so you're OK.*

*Ms. Raschke: It was a devastating fire. We've been displaced since January 6th. We'd like nothing more than to get back into our house as quickly as possible. It's taken longer than the insurance company first anticipated. A month ago, I thought I was going to be in there in September. Now they are still wrapping up. It's not habitable yet. The floors are done; the trim is being put in. But they still need to do,*

*like all the walls are rebuilt, the plumbing, you know, all the guts are done. Now it's like the finishing, the paint, finishing all the floors, installing carpet.*

*Ms. Moermond: What has your insurance told you about the Vacant Building Fee?*

*Ms. Raschke: Nothing. I was shocked. My insurance adjustor either quit or got fired. My contractor told me three weeks ago that I wouldn't be back in at the end of September. I've been trying to reach my adjustor and keep getting bounced back. I haven't talked to them about this because I was trying to get them to approve another month of housing for us. Which I do have until Thursday. It's been stressful. They told me if I get rejected, I can just pay for another month and I can't afford that. But then they extended it so it worked out fine. It's stressful.*

*Ms. Moermond: These circumstances often are.*

*Ms. Raschke: I've lived in that property since 1999. It's always been occupied. I go there most every day. There's people on the property, checking it out, making sure it's going along as quickly as possible.*

*Ms. Moermond: Insurance should cover this fee.*

*Ms. Raschke: That's a relief.*

*Ms. Moermond: That doesn't mean you are not going to have trouble with them because...*

*Ms. Raschke: ...they are an insurance company. They've been pretty great up until my adjustor...*

*Ms. Moermond: Who do you have?*

*Ms. Raschke: Ameriprise? They have been pretty good up until this last month when my adjustor wasn't here. They've gotten reasonable.*

*Ms. Moermond: They should. Now you've been in the Vacant Building Program; it's been almost a whole year. The fire was in January. You will be getting back in, hopefully...*

*Ms. Raschke: Right now, October 31. That's my end date.*

*Ms. Moermond: That will be 10 of the 12 months in a year. With that many months in, I would recommend approval of the assessment but I want to make sure you have what you need to bring this to your insurance company so that it is paid by the right folks. I don't know what it is that they will be looking for. You've got the letter imposing the assessment. Do you still have the letter saying it needs to be registered as a Vacant Building and what the costs are associated with that?*

*Ms. Raschke: That's all in one letter, right?*

*Ms. Moermond: You should have gotten multiple letters over time. We can get you copies of those. What I'm thinking is if we can get you the package of all the different notification you have received, that would be good information to provide to your insurance company. You can tell them "hey, there was notice way back then that this was going on. I got two waivers. I got waived the fee for six months in order for you*

guys to get the job done but you guys didn't get the job done; you took 10 months. So here's the fee." If you want to give us your email address in there, we can email those documents to you and you can work with your new adjustor on that. In the letter we sent, you have a public hearing time and date which is when it will ultimately be decided. If you are having issues, our business cards are by the microphone. You can contact us if you have any questions or need additional information. Or if your adjustor wants to talk to somebody.

Ms. Raschke: Ok. sounds good.

Ms. Moermond: Sorry I can't just get rid of it. But I can tell you that I don't think it's on you.

Ms. Raschke: Ok. Awesome. Thank you. That does make me feel better. Great.

Ms. Moermond: Have a good rest of your day. I'm sure when you are back in, it will be wonderful.

Ms. Raschke: Can't wait. Thank you.

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Approve the assessment.

**Referred to the City Council; due back on 1/9/2019**

**9**      [RLH TA 18-566](#)

Ratifying the Appealed Special Tax Assessment for property at 711 SIMS AVENUE. (File No. VB1901, Assessment No. 198800)

**Sponsors:**      Bostrom

*Dimitri Hatzigeorgiu, property owner appearing.*

*..Tax Assessment Worksheet*

*Cost: \$2127*

*Service Charge: \$157*

*Total Assessment: \$2284*

*Gold Card Returned by: DIMITRI HATZIGEORGIU*

*Type of Order/Fee: VB FEE*

*Nuisance: VB FEE*

*Comments: CAT 2 VB FILE OPENED ON 6/21/17. OPEN ELECTRICAL AND BUILDING PERMITS.*

*History of Orders on Property:*

*07/31/2017 : 07/31/2017 Tall Grass Complaint Received.*

*08/16/2017 : SA Printed: 08/16/2017*

*08/31/2017 : 08/31/2017 Tall Grass WO created: PA 17-075463*

*Cut and remove tall grass, weeds and rank plant growth from yard, blvd, and alley areas.*

*09/13/2017 Vicki Sheffer: RETURNED MAIL - VBRF 7/24/17 to Gary & Deborah Fennern, 711 Sims Ave, St. Paul; USPS no forwarding address.*

*06/04/2018 : SA Printed: 06/04/2018*

Ms. Moermond: You would have prepared a worksheet on this one, Mr. Yannarely?

Mr. Joe Yannarely: Yes. This is an annual Vacant Building Fee, Category 2 vacant building file. It was opened on June 21, 2017. Currently, there is an open electrical

and a building permit. There have been a few complaints as listed. The annual fee is \$2127 and the service fee is \$157 for a total assessment of \$2284.

Ms. Moermond: When was the Code Compliance Inspection done?

Mr. Yannarely: 11-28-17.

Ms. Moermond: You said there's open electrical and building. Does that mean the other permits haven't been pulled or that they are closed.

Mr. Yannarely: There's no final permits.

Ms. Moermond: No finals.

Mr. Yannarely: Just those two.

Ms. Moermond: Plumbing, mechanical, heating, that kind of thing.

Mr. Yannarely: Just electrical is open and the building permit.

Ms. Moermond: OK. Terrific. Now I am challenged by, how do you pronounce your last name?

Mr. Hatzigeorgiu: Call me Dimitri. [laughs]

Ms. Moermond: You are appealing this Vacant Building Fee. What are you looking for?

Mr. Hatzigeorgiu: Well, yes, I am appealing it. I purchased the building in February. I understand it's a Category 2 building and it's a tremendous amount of work. We immediately started doing work on it. It's taken longer to get it done than we thought because, as we started to do the renovation, we realized that the perimeter of the building was rotted, so we essentially had to cut out the sides, recap the foundation, and then rebuild the sides. So, working very hard to get it back. I'm essentially building a brand-new building that will hopefully last the next 100 years. Spending a lot of money to improve it, improve the neighborhood. So it's not like it's just sitting there idle. It's not an eyesore, we are working on it very hard and it's costing me a lot more than we anticipated. Just hoping for some leniency because it's like adding insult to injury with what we've got here. It's been a key learning. So just asking for some flexibility there as I do my best to not make it a vacant building. We gutted the whole interior, floors are gone. Everything is going to be brand new other than the top floor.

Ms. Moermond: When do you expect to be done?

Mr. Hatzigeorgiu: The next 90 days. The hardest part is behind us now. The floor joists are arriving this week and then we can pull permits on the plumbing and we can [inaudible].

Ms. Moermond: OK.

Mr. Hatzigeorgiu: I have pictures if you'd like to see them.

Ms. Moermond: Nope. I trust you. You've got a lot of work going on. You've got a couple of permits pulled. You need to get a couple more pulled. Things are



*happening. What I am looking at in this case is there is a Vacant Building Fee from June, 2017, through June, 2018. We are talking about the one that covers from June, 2018, to June, 2019. That's what the bill is that's in play. Right now we are seven months into that year. What I can do, especially since you say you will be done in the next 90 days, this is scheduled for public hearing on January 9, 2019. I will recommend to the Council that they cut it in half if you can be done by January 1, 2019. If you can get your Code Compliance Certificate by January 1, 2019, I will recommend it gets cut in half.*

*Mr. Hatzigeorgiu: OK.*

*Ms. Moermond: That's about as fair as I can be.*

*Mr. Hatzigeorgiu: OK. I was hoping for all of it, but ...*

*Ms. Moermond: I know but we are getting long enough into the year that it's hard for me to do that.*

*Mr. Hatzigeorgiu: OK. Well I appreciate it.*

*Ms. Moermond: Good luck to you. Sometimes you open these boxes up and ...*

*Mr. Hatzigeorgiu: Yeah, look in those walls next time.*

*Ms. Moermond: Have a good rest of your day, sir.*

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*If the owner can get the code compliance certificate by January 1, 2018, the recommendation will be to cut the assessment in half from \$2,284 to \$1,142.*

**Referred to the City Council; due back on 1/9/2019**

- 10**    [RLH TA 18-567](#)    Ratifying the Appealed Special Tax Assessment for property at 900 MARYLAND AVENUE EAST. (File No. VB1901, Assessment No. 198800)

**Sponsors:**            Bostrom

*Approve; no show*

**Referred to the City Council; due back on 1/9/2019**

## Assessment Rolls

- 11**    [RLH AR 18-80](#)    Ratifying the assessments for Boarding and/or Securing services during June 2018. (File No. J1901B, Assessment No. 198100)

**Sponsors:**            Brendmoen

**Referred to the City Council; due back on 1/9/2019**

- 12**    [RLH AR 18-81](#)    Ratifying the assessments for Collection of Vacant Building Registration fees billed during January 10 to June 21, 2018. (File No. VB1901,

Assessment No. 198800)

**Sponsors:** Brendmoen

**Referred to the City Council; due back on 1/9/2019**

- 13 [RLH AR 18-82](#) Ratifying the assessments for Collection of Vacant Building Registration fee billed October 12, 2017 at 251 Dayton Ave. (File No. VB1902, Assessment No. 198801)

**Sponsors:** Brendmoen

**Referred to the City Council; due back on 1/9/2019**

- 14 [RLH AR 18-83](#) Ratifying the assessments for Demolition services from May to June 2018. (File No. J1901C, Assessment No. 192000)

**Sponsors:** Brendmoen

**Referred to the City Council; due back on 1/9/2019**

- 15 [RLH AR 18-84](#) Ratifying the assessments for Demolition services from May to August 2018. (File No. J1902C, Assessment No. 192001)

**Sponsors:** Brendmoen

**Referred to the City Council; due back on 1/9/2019**

### 10:00 a.m. Hearings

- 16 [RLH TA 18-561](#) Ratifying the Appealed Special Tax Assessment for property at 389 CHARLES AVENUE. (File No. J1901E, Assessment No. 198300)

**Sponsors:** Thao

*Approve; no show*

**Referred to the City Council; due back on 1/9/2019**

- 17 [RLH TA 18-563](#) Ratifying the Appealed Special Tax Assessment for property at 934 CLARK STREET, (File No. J1901E, Assessment No. 198300)

**Sponsors:** Brendmoen

*Appellant is requesting ASL interpreter, rescheduled to November 6 @ 10 a.m.*

**Laid Over to the Legislative Hearings due back on 11/6/2018**

- 18 [RLH TA 18-564](#) Ratifying the Appealed Special Tax Assessment for property at 185 COMO AVENUE, (File No. J1901E, Assessment No. 198300)

**Sponsors:** Thao

*J.P. Carlone, property owner appearing.*

..Tax Assessment Worksheet

Cost: \$122

Service Charge: \$35

Total Assessment: \$157

Gold Card Returned by: JOHN CARLONE

Type of Order/Fee: REPEAT OFFENSE AND EC SNOW.

Nuisance: SNOW ICE

Date of Orders: 4/18/18

Compliance Date: 24 HOURS FROM POSTMARK

Re-Check Date: 4/19/18

Date Work Done: DONE BY OWNER

Work Order #: 53627

Returned Mail?:

Comments:

04/18/2018 : Snow Repeat Offence Printed

04/18/2018 : Code Printed

04/19/2018 : Snow Ice WO created: PA 18-054206

Remove snow and ice from public sidewalk full width including sidewalk ramp to street, salt and sand as needed.

04/24/2018 : PA EC Printed

History of Orders on Property:

IN THE LAST YEAR: 3 GARBAGE COMPLAINTS, 4 SNOW/ICE COMPLAINTS, 1  
TGW

Ms. Moermond: Can I get a staff report on this property?

Ms. Lisa Martin: Looks like a cost of \$122 and a service charge of \$35 for a total of assessment of \$157. Gold Card returned by John Carlone. Type of order was repeat offense, excessive consumption for snow complaint. Snow and ice on the sidewalk. It was done by owner so this is a PAEC. We've had three garbage complaints, four snow and ice complaints, one tall grass and weed complaint on this same property.

Ms. Moermond: Have you had any other excessive consumption besides this one?

Ms. Martin: We had a PAEC for grass, a PAEC for snow.

Ms. Moermond: When was the grass?

Ms. Martin: The grass was 8-21-18. The snow was 4-19-18. We have another one; it looks like March, 2018; no, that one was done by Parks, so that was a clean up.

Ms. Moermond: So, the two that you have are because crews were dispatched but the work was done by the time the crew showed up. The one we are talking about today is because there have been more than three founded complaints in the past 12 month time period.

Ms. Martin: This one was done by owner so this is the one from the 4-19.

Ms. Moermond: OK. So this is also a PAEC. Done by owner.

Ms. Martin: Correct. This is a continuous issue with this vacant lot at 185 Como Ave.

Ms. Moermond: So, essentially the crew was dispatched but the work was already

done, but the crew wouldn't have been dispatched if it was done on deadline.

Ms. Martin: Correct.

Ms. Moermond: Mr. Carlone, you are appealing this assessment. It sounds like the work was supposed to be done on the 18th. They created a work order on the 19th and the crew showed up and the work was done by the time they got there. They want to charge you for that extra trip they made.

Mr. Carlone: They did that on their own, your honor. It was just missed at the last meeting. We were here. At the last court we were here, we just missed that because it was done. And if they came out there, I had nothing to do with it. We followed the order. When they said clean the sidewalk, we went out there and cleaned it. I don't believe I should be responsible for what they did on their own.

Ms. Moermond: Well, they gave you a deadline and they showed up when they said they would and you did have it done and we're all agreed about that.

Mr. Carlone: It was done before they showed up.

Ms. Moermond: Yes. So they want to charge you because they made a trip because you weren't done on deadline.

Mr. Carlone: That's their problem.

Ms. Moermond: Well, it's kinda your problem because they want to bill you for it.

Mr. Carlone: They want to bill me for it?

Ms. Moermond: That's what we are talking about today.

Mr. Carlone: They want to bill me for something they never did.

Ms. Moermond: Well, they showed up is what they are saying.

Mr. Carlone: Well, let 'em prove it. They coulda went out there with a car and seen it was done. They didn't have to go out there with

Ms. Moermond: They did, actually go out there with a car and see that it was done. That's kinda the point.

Mr. Carlone: And they're gonna charge \$175 for that?

Ms. Moermond: Well, they were charging you \$122 and then they put on a \$35 service charge for processing it as an assessment because you didn't pay the bill, so today we are talking about \$157 for dispatching a clean up crew.

Mr. Carlone: That's ridiculous. I'm paying for their mistake.

Ms. Moermond: I think they're saying you weren't done on deadline. And so

Mr. Carlone: As soon as we found out they wanted something done out there, we went out there and did it.

Ms. Moermond: What I don't have is my computer with me. What are you guys looking up? Anything?

Ms. Martin: Nothing for you.

Ms. Moermond: That's too bad.

Mr. Yannarely: We would love to, though.

Ms. Moermond: Why don't we, actually.

Mr. Yannarely: Tried to do the [inaudible], that's all.

Ms. Moermond: Can we check to see the video for 418?

Ms. Martin: There wouldn't be a video if there

Ms. Moermond: Oh, Is there a picture or anything that the crew took? Or anything?

Mr. Yannarely: It would be the inspector.

Ms. Moermond: Yes. Attached to this actually are the minutes. This is for the wrong case. I don't know why that got attached. Mai must have made a mistake. It's for sure a mistake. OK. Do we have your phone number there? Did you sign in, Mr. Carlone?

Mr. Carlone: Pardon me?

Ms. Moermond: Did you sign in on the clipboard?

Mr. Carlone: Yes.

Ms. Moermond: OK. I'll have Ms. Vang get ahold of you. I'll look at the case and see and we'll get you an answer.

Mr. Carlone: Thank you very much.

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Approve the assessment.

**Referred to the City Council; due back on 1/9/2019**

- 19**     [RLH TA 18-523](#)     Ratifying the Appealed Special Tax Assessment for property at 761 COOK AVENUE EAST. (File No. J1807V, Assessment No. 188011)

**Sponsors:**     Bostrom

Approve; no show

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

- 20**     [RLH TA 18-509](#)     Deleting the Appealed Special Tax Assessment for property at 557 DAYTON AVENUE. (File No. J1812E, Assessment No. 188324)

**Sponsors:**     Thao

*Charles D Goenner, owner, appeared.*

*..Tax Assessment Worksheet*

*Cost: \$122*

*Service Charge: \$35*

*Total Assessment: \$157*

*Gold Card Returned by: CHARLES GOENNER*

*Type of Order/Fee: EC*

*Nuisance: SNOW ORDER NON COMPLIANCE, WORK CREW DISPATCHED BUT DONE BY OWNER. THIS IS FOR COST OF DISPATCHING A CREW.*

*Date of Orders: 4/6/18*

*Compliance Date: 48 HOURS FROM POSTMARK*

*Re-Check Date: 4/11/18*

*Date Work Done: 04/12/2018: Done By Owner*

*Work Order #: 050200*

*Returned Mail?: NO*

*Comments:*

*History of Orders on Property: NONE*

*Ms. Moermond: This is also an excessive consumption of code enforcement services assessment. Ms. Martin, what can you tell me about*

*Ms. Lisa Martin: Yes. This is a cost of \$122 with a service charge of \$35 for a total assessment of \$157. Gold card returned by Charles Goenner. This is an excessive consumption fee. The nuisance was a snow order for non-compliance. The work crew was dispatched but done by the owner. This is the cost of dispatching the crew. And no previous history.*

*Ms. Moermond: So, Mr. Goenner, you are appealing this? Tell me about that.*

*Mr. Goenner: I got a letter saying that I needed to get the snow off the sidewalk, which I did promptly and it was supposed to be done by Apr 12. I made very sure that there was no snow or ice on the sidewalk. So, I don't understand why.*

*Ms. Moermond: OK, give me a second. I am looking at the snowfall charts.*

*Mr. Goenner: I recall there was a snow event and then it bacame very warm, then it snowed again.*

*Ms. Moermond: So we are in April here. The orders were issued on*

*Ms. Martin: 4-6-18.*

*Ms. Moermond: So there hadn't been. This isn't my file. This is my assistant's file who isn't here today so I am trying to figure out on the fly how she's got this organized. My apologies. Here we go. So if the orders were issued on April 6, there was no doubt about the snowfall that happened on April 2. It looks like between the 2nd and 3rd, the City had gotten nine inches of snow. I think I remember that; it was depressing. That was followed up with a lot more snow. So they rechecked it on April 11 and there had been another two inches of snow by then. I guess with that additional snowfall, it's hard to know. I'm going to go ahead and recommend that it gets deleted. So have a good rest of your day.*

*Mr. Goenner: You, too.*

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*Delete the assessment.*

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

- 21 [RLH TA 18-559](#) Ratifying the Appealed Special Tax Assessment for property at 1248 FARRINGTON STREET. (File No. J1901E, Assessment No. 198300)

**Sponsors:** Brendmoen

*Approve; no show*

**Referred to the City Council; due back on 1/9/2019**

- 22 [RLH TA 18-558](#) Ratifying the Appealed Special Tax Assessment for property at 877 JEFFERSON AVENUE. (File No. J1901E, Assessment No. 198300)

**Sponsors:** Noecker

*Lisa Clemons, property owner appearing.*

*Cost: \$122*

*Service Charge: \$35*

*Total Assessment: \$157*

*Gold Card Returned by: LISA CLEMMENS*

*Type of Order/Fee: EC*

*Nuisance: DISCHARGING WATER INTO PUBLIC STREET*

*Date of Orders: 11/27/17*

*Compliance Date: 12/5/17*

*Re-Check Date: 12/8/17*

*Comments: NON COMPLIANCE WITH ORDERS*

*History of Orders on Property:*

*Assigned To: Kaisersatt, Mark 651-266-1908 11/27/2017: \*Compliance Recheck - water discharge from sump pump to street.*

*Maintenance - Exterior (Recheck)*

*DSI Code Enforcement Reinspection 12/08/2017: \*Compliance Recheck - Pipe has been shortened, but water discharge from sump pump still reaches the street. Property manager was contacted and it will be rechecked on 12/15*

*Maintenance - Exterior (Recheck) 12/18/2017: \*Compliance Recheck - Water continues to be discharged at the curb creating a collection of water / ice. EC for non-compliance.*

*Maintenance - Exterior (Recheck) 01/04/2018: \*Compliance Recheck - Unabated, water pooling in street resulting in significant ice along curb. EC*

*Maintenance - Exterior (Recheck) 01/30/2018: \*Compliance Recheck - No water or ice issue today, though pipe with water discharge is still visible at surface. Spoke with property manager Lisa, 763-350-4334 and was told in spring a permanent drainage system will be installed for basement sump pumps. Recheck 4/15.*

*Maintenance - Exterior (Recheck) 04/24/2018: \*Compliance Recheck - Significant water discharge to street. EC*

*Maintenance - Exterior (Recheck) 05/15/2018: Transfer to Checklist Depts - Water still being pumped into street. Commercial property, transferring to Fire To: DSI Fire Inspections.*

*Fire Prevention Response Assigned To: Fire CS Response, See RF 651-266-8990 05/16/2018: Under Investigation (RF) 05/25/2018: Comply - Owner previously cut the*

*hose back several feet so it does not directly flow into the street.*

*Ms. Moermond: This looks like a different kind of excessive consumption, so Ms. Martin*

*Ms. Lisa Martin: We have a cost of \$122, service charge of \$35 for a total assessment of \$157. Gold Card returned by Lisa Clemons. The type of the order was excessive consumption and the nuisance was discharging water into the public street. Date of the order was 11-27-17 with a compliance date of 12-5-17. Rechecked on 12-8-17. Noncompliance with the order. Issued by Inspector Kaisersatt.*

*Ms. Moremond: I'm just looking at some inspector notes here. Looks like this started, as just mentioned, back in November. You had a conversation at the end of January with the inspector.*

*Ms. Clemons: I have had multiple conversations.*

*Ms. Moermond: Right.*

*Ms. Clemons: Not a cut and dried five minute fix.*

*Ms. Moermond: No, it doesn't sound like it. At that point in time you were saying that a permanent drainage system would be installed for basement sump pumps in the spring.*

*Ms. Clemons: Which we have been working on.*

*Ms. Moermond: OK, so tell me what's going on.*

*Ms. Clemons: So first off, sort of unfair. There's seven buildings that for 20 years sump pumps have gone into the street. It's been that way for 20 years. This building has four sump pumps. At the time that it came up, it was frozen. We can't do anything when the ground is frozen. Beginning in April, we started working. I spoke with Larry Ackerman at SewerWorks about locate maps of the sewer system, the way that this, downhill property, it's not [sic]. We had to figure out how to tie the sump pumps into the sewer system somehow. So we had location services out trying to locate the caps. The maps are old. They are pretty hard to read. And then we have gone through at least three service providers who have backed out on my halfway through the project. I do currently have a bid here for the newest one that we are trying to get it completed. I have tried communicating with the inspector as well as his superior. I have not seen a notice since May so I wasn't sure. We did pay an assessment amount so I'm not sure if this is a second one or if it is*

*Ms. Moermond: It looks like a second one.*

*Ms. Clemons: OK. So, again, there's been no communication from them even though I've tried reaching out because this is no cut and dried issue. We're sort of concerned about why our property when the neighboring properties have the same thing and they haven't had any action on their property.*

*Ms. Moermond: Do you have any information on that, Ms. Martin?*

*Ms. Martin: No. Do you have the addresses that are in question?*



*Ms. Moermond: If you are at 877, are they to the east or the west of you? Probably to the east?*

*Ms. Clemons: East.*

*Ms. Moermond: Downhill? Towards west 7th? Never mind.*

*Ms. Clemons: I'm terrible with direction. Not super familiar with the area.*

*Ms. Martin: I can definitely check with the inspector but*

*Ms. Clemons: You can see three or four sump pump pipes sticking out in the street. I mean there's a constant water flow coming down the street into the storm drains, but I don't really want to cause*

*Ms. Moermond: No no. We have a situation and all of those together just make it worse in terms of ice and all the other things that happen with discharge. It makes sense to take it together.*

*Ms. Clemons: I've been trying to communicate the process as we've been working on it. I had a landscaper from Aspen Landscaping involved originally. We were going to build some kind of drainage system at the curb for the sump pumps. The location services were not able to find both of the sewer access points that were supposed to exist. It's been one service provider after another after another, trying to find someone who would know the project appropriately.*

*Ms. Moermond: Who do you have now?*

*Ms. Clemons: Right now we are working with one of our business partners who is a development company. We decided that because tying to the storm drains is difficult, that we are going to tie the sump pumps directly into the sewer stack because we are struggling to get the information we need to get to tie into the outside sewer. We have three basement stairwells in this building that are temporarily tied into the shallow sanitary system. We were hoping that we could tie into those as well, but it's expensive, \$25,000.*

*Ms. Moermond: What are they thinking about time?*

*Ms. Clemons: As long as we are going into the stacks now, I would think in the next two weeks we will have the sump pumps taken care of. My goal is to get it done for sure before the cold weather gets here. We don't need any more freezing problems. Throughout this, this has caused a lot of problems with our building. They had to have us cut back the pipe, which flooded our building multiple times. I mean this has been a very difficult process. The property has sidewalks that slope, so all the water just runs back to the building. If a sump pump gets clogged at all with anything, then it all backs up into the building. Trying not to let our building get destroyed in the process. I did pay the one thing, thinking, you know, I'll meet half way. But having another charge when there's been no communication I think is a little unfair. We've been actively been trying to solve the problem.*

*Ms. Moermond: There's a note here that he was transferring it to Fire Inspection.*

*Ms. Martin: Yes. This is a commercial business so they did cut it back, but it was still draining. Again, back in January, Lisa had mentioned that they were going to take*

care of this in the spring. We rechecked it April 24. No information. No signed contract. It was still discharging in the street at that time. And then May 15, still discharging into the street. It's commercial property, so transferred to Fire Inspection to have them check out their portion.

Ms. Moermond: Are you typing up the address to see. I'm curious to see if there's a deadline Fire has put on it or if there's any current orders because I want to act consistently with what you guys have done.

Ms. Clemons: I haven't talked with any Fire Inspector. There's a daycare in there, so it's possible they have met someone.

Fire Supervisor Leanne Shaff: There was one in May. May 15 to Diane Gavin and she's got it as complied with, saying in comments, the owner previously cut the hose back several feet so it does not flow directly into the street.

Ms. Clemons: It does no longer flow into the street. It just pools at the curb.

Ms. Moermond: So there is no existing deadline. It sounds like you got a couple weeks, you are going to have it done. Let's see here, it's the beginning of October. Sixty days? Does that work?

Ms. Clemons: Yes.

Ms. Moermond: So if you get this done in 60 days, I will delete this thing. It's gone. It's scheduled for hearing in January so we'll just check and make sure it's done, then delete it then. I don't expect you will have a problem with it.

Ms. Clemons: Ok.

Ms. Moermond: It sounds like you are on top of things. I'm sorry the communication wasn't clearer between the various staff involved and you. Have a good rest of your day.

Ms. Clemons: Thank you.

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If the property is brought into compliance by December 2, 2018, will delete the assessment.

**Laid Over to the Legislative Hearings due back on 12/4/2018**

23 [RLH TA 18-560](#)

Deleting the Appealed Special Tax Assessment for property at 328 KELLOGG BOULEVARD W. (File No. J1901P, Assessment No. 198400)

**Sponsors:** Noecker

..Tax Assessment Worksheet

Cost: \$75.46

Service Charge: \$162

Total Assessment: \$237.46

Gold Card Returned by: Miles Cross

Type of Order/Fee: Summary Abatement/Graffiti

Nuisance: Failure to remove graffiti

Date of Orders:

Compliance Date:  
 Re-Check Date:  
 Date Work Done: 7/4/18  
 Work Order #: 18-078101  
 Returned Mail?: No  
 Comments: RECOMMEND DELETION, THE GRAFFITI WAS NOT ON THIS PROPERTY.  
 History of Orders on Property: No

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Delete, as the graffiti was not at this property

**Referred to the City Council; due back on 1/9/2019**

- 24 [RLH TA 18-547](#) Ratifying the Appealed Special Tax Assessment for property at 1519 MARSHALL AVENUE. (File No. J1812E, Assessment No. 188324) (Legislative hearing on October 16)

**Sponsors:** Thao

*Recommendation is forthcoming. Legislative hearing on October 16 at 2:30 p.m.*

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

- 25 [RLH TA 18-522](#) Ratifying the Appealed Special Tax Assessment for property at 588 MILTON STREET NORTH. (File No. CRT1813, Assessment No. 188216)

**Sponsors:** Thao

*Rukhan Ghazi, property owner appearing.*

*Fire Supervisor Leanna Shaff:*

*Cost: \$363*

*Service Charge: \$157*

*Total Assessment: \$520*

*Gold Card Returned by: email from Mai Vang*

*Type of Order/Fee: FC of O, Duplex*

*Nuisance: Unpaid FC of O fees*

*Date of Orders: Appointment letters 7/21, 8/15 and 9/25/17. Deficiency letters 10/10/17, 11/14/17, 12/14/17, 1/24/18, and 2/20/18.*

*Compliance Date: Approved with deficiencies 3/20/18*

*Billing Dates: 3/22 and 4/23/2018*

*Returned Mail?: No*

*Comments: All mail sent to RP: Ghazi Empire LLC 1849 Reaney Ave. St Paul MN 55119-3429*

*History of Orders on Property:*

*Ms. Moermond: Ms. Shaff, what can you tell me about this proposed assessment?*

*Fire Supervisor Leanne Shaff: Fire Certificate of Occupancy fees for a duplex. The costs is \$363, service charge of \$157, making the total assessment \$520. I got an email from Mai Vang, not a Gold Card. We have appointment letters on 7-21, 8-15, and 9-25 of 2017. Deficiency letters: 10-10;11-14 and 12-14 of 2017; 1-24 and 2-20 of 2018. It was approved with deficiencies on 3-20-18. The billing dates were 3-22 and*

4-23 of 2018. No returned mail. All returned mail was sent to the responsible party at Ghazi Empire LLC, 1849 Reaney Ave. St Paul MN 55119.

Ms. Moermond: I noticed in the invoice that you folks sent out, one of the charges on it, well you've got the regular C of O charge of \$242. You've got a no entry penalty. That's an appointment where somebody doesn't show up. The you have a re-inspection, you had an extra inspection in there on top of what you'd normally have. But when you processed this as an assessment, there is no charge for the no entry. It gets taken off the bill.

Ms. Shaff: That is removed. Yes.

Ms. Moermond: That is removed, but processing it as an assessment puts on an administrative service charge of \$157. So, minus \$74 plus \$157. So, here we are. You are appealing this assessment. Can you tell me why and what you are looking for today?

Mr. Ghazi: I'm hoping to resolve this. I'm trying to resolve the issue.

Ms. Moermond: I don't know. What is the issue?

Mr. Ghazi: Clearly I must owe, obviously, for the fire inspection. It's an every two year fee that comes up. My concern is where it was going because I'm getting other bills at 6852 94th Cove and that's where I got this assessment communication and I guess that I'm not getting the information. I got a owner or tax preparer document from the City with my address of 6852 94th Cove S, Cottage Grove. So, I'm wondering why all the information isn't going to the same address.

Ms. Moermond: There is an answer for that if you can just give me a second. Which address do you want things going to?

Mr. Ghazi: I'd like for everything to go to Cottage Grove. That way everything is going to the same location. I mean, it could be my fault, but I just want to make sure I'm on the same page, moving forward.

Ms. Moermond: OK. Do we have two CRTs on here? Oh, this is a rescheduled hearing. OK.

Ms. Shaff: I have a question. So, when did you move from 1849 Reaney?

Mr. Ghazi: I've just used that address over the past, I don't know, year and a half or so. I had used that. I updated the address, probably, I don't know, six or seven months ago, possibly.

Ms. Shaff: We haven't received an update for address.

Ms. Moermond: For Ramsey County?

Ms. Shaff: For Ramsey County, the owner is Redwood Consulting. But the responsible party where we send all the mail to is Ghazi Empire, 1849 Reaney, and that was actually updated in our system by Inspector Elvestad on Jul 13, 2016.

Mr. Ghazi: That's why I'm slightly confused in the sense that they were the responsible party. I think when I originally got this property, that was the address that I used, 1849

*Reaney Ave, but since then, just about everything I received has been coming to Cottage Grove. So I just don't know why that got to me but I'm getting all the other.*

*Ms. Shaff: Because you're supposed to fill out a Change of Address form with the C of O Program.*

*Mr. Ghazi: What department do I do that with?*

*Ms. Shaff: It's on our website.*

*Ms. Moermond: Actually, here's a copy of one.*

*Mr. Ghazi: OK.*

*Ms. Moermond: Come get it.*

*Mr. Ghazi: Thank you.*

*Ms. Moermond: What happens when a property goes into the Certificate of Occupancy Program, a form like this gets filled out. You're identified as the contact person. All your information is on that form; so, the appointments letters that they send out, the bills that they send out, everything goes to the people identified on that form. If a bill goes unpaid, then, they have to refer to who is the owner based on Ramsey County Taxes. That's when the Cottage Grove address pops in.*

*Mr. Ghazi: I get it.*

*Ms. Moermond: So when they get their stuff updated, it will go to the right address.*

*Mr. Ghazi: OK.*

*Ms. Moermond: So we got a bill in front of us today.*

*Mr. Ghazi: Can I get a breakdown of it so I can understand. The normal fee is \$200 something?*

*Ms. Moermond: Do you want to repeat what the invoice says? Actually I have it here. A regular C of O fee for a duplex is \$242. There is also a charge because it was a no-show appointment on August 15 and that charge is \$74. On March 20, there was a re-inspection fee charged for \$121. That brings the invoiced amount to \$437. When it was processed as an assessment, they removed the \$74 no-entry penalty charged on August 15, but they added on \$157 service charge bringing your new total to \$520 as the new proposed assessment that we are talking about today.*

*Mr. Ghazi: Obviously, I would not know anything about the no-show. I obviously wouldn't know anything about the re-inspection. If I am not getting the communication.*

*Ms. Shaff: Ms. Moermond, unfortunately, we didn't have any returned mail.*

*Ms. Moermond: And you did perform inspections?*

*Ms. Shaff: That is absolutely correct.*

*Mr. Ghazi: How?*

Ms. Shaff: Looks like maybe a tenant let us in on one case.

Mr. Ghazi: And who was the inspector?

Ms. Shaff: Steve Pieczykolan. I see Hervang. I see they talked to tenants. On 3-9, third floor tenant contacted PO and PO said he tried to get ahold of Steve multiple times this morning about inspections. PO, that's property owner, OK for inspections but tenant wants to reschedule due to work not being done.

Mr. Ghazi: My understanding with this, if my memory serves me correctly, why are they charging me then for a no-show? If they were able to get

Ms. Shaff: That was later on in the inspection. Can you tell me your phone number, please?

Mr. Ghazi: Sure. 312-522-0676.

Ms. Shaff: We got that.

Mr. Ghazi: I know Mr. Pieczykolan. I just saw him a couple days ago. I talk with him pretty regularly.

Ms. Moermond: Going back to the no-entry thing. Let's not spin our wheels on that because that got deleted.

Mr. Ghazi: Gotcha.

Ms. Moermond: Let's talk about the other stuff.

Mr. Ghazi: Re-inspection, then, was set up for what date? And that's \$121?

Ms. Shaff: Let's see. Well, he didn't show up for the first time, so the actual first inspection happened on 10-10. That's the date on the paperwork. And that was by Steve Pieczykolan. He actually said he spent about an hour there. He has some mileage. The next inspection was on 1-24, again by Steve Pieczykolan and then the re-inspection was done on 3-20 by Maicee Hervang.

Mr. Ghazi: I guess my question with this is I didn't know I was being charged for this. If I'm getting charged the regular normal fee of \$242, I didn't know that when they actually come out to do the inspection that they normally would do, that they are charging me in addition to \$242.

Ms. Moermond: They go out, they write your orders, you get the re-inspect. But if they go out to re-inspect and things aren't done, they have to go again, then you get charged for the second re-inspection. Does that make sense?

Mr. Ghazi: Yeah.

Ms. Moermond: That's where they are at.

Mr. Ghazi: I dispute that then because everything is done over there and it's been done.

*Ms. Moermond: I'm hearing things weren't done.*

*Ms. Shaff: That is correct.*

*Mr. Ghazi: What isn't done?*

*Ms. Shaff: I will pull up some paperwork.*

*Mr. Ghazi: OK*

*Ms. Shaff: The original letter*

*Ms. Moermond: How did you even know what should and shouldn't be done? If you are having trouble with the mail?*

*Mr. Ghazi: When she indicated to me that Mr. Pieczykolan went out there and then his assistant went out there.*

*Ms. Moermond: They are both inspectors. No one is an assistant.*

*Mr. Ghazi: Right, right. Inspector Pieczykolan and then the other inspector, it sounded like an Asian name, i remember that he told me he was going to send her out there. So I remember these conversations that we were having and I had met with Mr. Pieczykolan. I really didn't know that I was going to be charged on top of the normal \$242. I didn't know that at all.*

*Ms. Shaff: The original letter, dated 10-10, there are 21 items.*

*Mr. Ghazi: Where he gave me some*

*Ms. Moermond: Let her finish.*

*Mr. Ghazi: OK*

*Ms. Shaff: On the letter dated 1-24, there are 13 items.*

*Ms. Moermond: So, progress. Not done.*

*Ms. Shaff: Correct. And then on 3-20, where it was approved with corrections, the only things outstanding were: screens, painting the garage, some door handles, etc, and that was supposed to be due May 1, 2018 but that wasn't completed, so then they gave it until the end of May when it was done.*

*Ms. Moermond: We are not talking about any billing.*

*Ms. Shaff: No. With all the dates, it was lots of re-scheduling.*

*Ms. Moermond: That answers my question about things not being complete. She just listed a number as of March 20, but your Certificate was issued at that time.*

*Mr. Ghazi: I remember that, within these reschedules, part of it had to do with, not only my scheduling, but Mr. Pieczykolan.*

*Ms. Moermond: You are not being charged for re-scheduling.*

Mr. Ghazi: OK. The \$242, the \$74 is waived, and than this \$121.

Ms. Moermond: That is a re-inspection charge.

Mr. Ghazi: And that's the fee that I'm concerned about the \$121 plus this \$157 processing fee. And so the \$121 comes into play.

Ms. Moermond: Because you didn't have things done when you got re-inspected the first time. So the 21 items that were originally written up on October 10th weren't done on deadline. The actual work that was done for the October 20th deadline didn't actually occur until January. So it was fully three and a half months later and still 13 items remained. Those 13 items were re-inspected in March, another two months after that, and at least four items remained which were just listed out. That tells me that there is a legitimate re-inspection charge for work not having been done the first time, or the second time. So I'm not willing to entertain deleting that fee. You are looking for a deletion of the administrative fee resulting from non-payment of the invoice. [Sighs.] The City did not have your current contact information because you did not fill out current contact information for this property.

Mr. Ghazi: I understand that. I guess lastly, that what we can practice up, if I'm advised by an inspector, and I like Mr. Pieczykolan so I'm not knocking him at all, but if he says I'm going to give you some time and then he comes back and then the majority of it's done and he says I'll give you some more time but he tells me within that timeframe that he needs to reschedule with me because he's going out of town or whatever.

Ms. Moermond: You are not being charged for re-scheduling. We've covered this territory. What has happened is that we have orders that began on October 10 and weren't closed out until March 20 and that still had re-inspection items to be handled in May. That tells me that we are looking at November, December, January, February, March. Five months between beginning and ending the process and still there's items that had to be done in April and May. So what is normally less than a 90 day cycle, which is three months, took twice as long. That tells me that there was a lot of extra time given. Normally, if there are three inspections and the work isn't done, they are moving towards revocation of the Certificate for non-compliance. You came in under the wire and did not get moved to that enforcement level, but I'm seeing plenty of time being given, whether it was him, for his schedule, or you, for yours, that this is a lot of time that happened.

Mr. Ghazi: If I can just share this last point, the reason for that, though, is because he said to me the stuff on the inside you can do now, the stuff on the outside, we can wait until spring.

Ms. Moermond: And that's what they did. There's not a charge associated with that. That's the painting. But there's other items. The screens can be done anytime of the year. The painting, obviously, has to wait. The door handles can be done anytime of the year. It was a mixed bag of interior and exterior items.

Ms. Shaff: I have a question, Mr. Ghazi, is this your first Fire Certificate of Occupancy property?

Mr. Ghazi: No. I am aware of the conditional process.



Ms. Shaff: *Because these are questions that, normally, a seasoned landlord wouldn't*

Ms. Moermond: *Have you been to Landlord 101?*

Mr. Ghazi: *No.*

Ms. Shaff: *It would be a great class for you to come to.*

Mr. Ghazi: *I think I will.*

Ms. Shaff: *If you go to our City webpage at [www.stpaul.gov/cof](http://www.stpaul.gov/cof). Please sign up.*

Mr. Ghazi: *I'll do that. The reason I am just bringing this up is that all of the interior items were addressed. The handles that we're talking about are on the garage.*

Ms. Shaff: *You didn't get charged for those, sir.*

Ms. Moermond: *But that's not weather dependent is where I'm going with it.*

Mr. Ghazi: *I see. In addition to*

Ms. Moermond: *Painting is obviously temperature and weather dependent. Handles and screens--this is Minnesota. Screwdrivers operate no matter what the temperature is.*

Mr. Ghazi: *I see.*

Ms. Moermond: *I know you do. When is he due for his inspection based on his grade that he got.*

Ms. Shaff: *August of 2019.*

Ms. Moermond: *Starting in August of 2019 is the next cycle.*

Ms. Shaff: *If you want to leave that change of address form with me, that would be great.*

Ms. Moermond: *I'm going to recommend approval of this. I can spread it over two years if that is useful.*

Mr. Ghazi: *Please.*

Ms. Moermond: *You are up for public hearing on October 17. I will recommend that it be cut in half and you will be invoiced for that amount for the C of O. The second invoice won't come until the following year.*

\_\_\_\_\_  
*Approve the assessment and spread the payments over a two year period.*

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

*Supervisor Lisa Martin:*

*Cost: \$122*

*Service Charge: \$35*

*Total Assessment: \$157*

*Gold Card Returned by: ANDREA MARBOE*

*Type of Order/Fee: EXCESSIVE CONSUMPTION OF CITY SERVICES (multiple)*

*Nuisance: MISSING / DEFECTIVE SIDING ON REAR OF HOUSE.*

*Date of Orders: 3/7/18*

*Compliance Date: 3/31/18*

*Re-Check Date: 4/10/18 2ND ORDER ISSUED WITH A NEW COMPLIANCE DATE OF MAY 1. 2ND ORDERED ACHIEVED COMPLIANCE.*

*Comments:*

*History of Orders on Property: 6 COMPLAINTS IN 2017 FOR TGW AND VEHICLES.*

*Ms. Moermond: there is compliance now; the following email from Ms. Marboe will be put into the record (attached):*

*I had hoped to be at the hearing this morning to address the assessment of 298 Oneida for excessive use of city services. I'm up in Alexandria on business which has gone longer than I expected and unable to return in time for the hearing. (rescheduled LH; original LH was Sep 4, 2018)*

*Perhaps there is no recourse at this point as I'm not able to be there in person, but I am connecting you (Marcia?) on this email with Mark Kaisersatt at the City Inspector's Office. I talked with Mark on August 21 when I got the hearing notice because I was surprised, thinking we'd taken care of everything months before. Mark assured me that to his knowledge we had resolved the issues for which I'd received a first notice (March 7) and then a correction notice (April 10), on March 15 and June 4, respectively. He offered himself as a reference and to be available should anyone wish to contact him about it.*

*I am sorry to miss this morning's hearing*

*-we are not just looking at the issue of defective siding but a multiple because of the 2017 complaints on TGW & vehicles*

*-I understand her confusion; perhaps Mr. Kaisersatt wants to call her & let her know why he processed an Excessive Consumption bill because I think that she could use some clarity on that; and could he copy everybody on his response so that his response can be attached to the record, as well*

*-I'm going to recommend approval because we are talking about 7 instances of violations during the past 12 months when 3 is the threshold*

*Approve; no show.*

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

**27**     [RLH TA 18-568](#)

Ratifying the Appealed Special Tax Assessment for property at 731 SIMS AVENUE. (File No. CRT1901, Assessment No. 198200)

**Sponsors:**     Bostrom

*Steven Too and Steven Chanthavilay appearing.*

*..Tax Assessment Worksheet*

*Cost: \$412*

*Service Charge: \$157*

*Total Assessment: \$569*

*Gold Card Returned by: PO: Steven Chanthavilay*

Type of Order/Fee: FC of O, SFD  
Nuisance: Unpaid FC of O fees  
Date of Orders: Appointment letters 10/24/16, 11/15/16, 4/25/17, 5/19/17, 6/7/17, 6/29/17. Correction letters 7/18/17, 8/17/17, 9/12/17, 10/2/17, 12/22/17, 1/24/18, 2/16/18.  
Compliance Date: Approved with corrections 4/10/18  
Billing Dates: 4/12/18, 5/14/18  
Returned Mail?: No  
Comments: All mail sent to RP for PO at the time of inspections: Housing Hub 351 Kellogg Blvd E St Paul MN / Dadders Estates LLC  
History of Orders on Property: New PO w/ RC 4/21/18

Ms. Moermond: So what are we looking at here?

Fire Supervisor Leanne Shaff: This is for an unpaid Fire Certificate of Occupancy fee on a single family dwelling. The cost is \$412 with a service charge of \$157, making it total assessment of \$569. The Gold Card was returned by the property owner. The property owner being Steve Chanthavilay. Appointment letters: 10-24-16, 11-15-16, 4-25-17, 5-19-17, 6-7-17, 6-29-17. Correction letters: 7-18-17, 8-17-17, 9-12-17, 10-2-17, 12-22-17, 1-24-18, 1-24-18, 2-16-18. It was approved with corrections on 4-10-18. Billing dates: 4-12-18 and 5-14-18. No returned mail. All mail was sent to the responsible party that was for the property owner at the time of inspection. The responsible party was Housing Hub at 351 Kellogg Boulevard East. The property owner was Dadders Estates.

Ms. Moermond: What kind of property is this?

Ms. Shaff: Single family dwelling. There was numerous cancellations, rescheduling. All of that type of stuff. From what I read on the Gold Card that was returned, it is now owner-occupied. Ramsey County registered the new owner on 4-21-18. At the time of all the inspections, Dadders Estates/Housing Hub was fully aware of all the inspection fees. Would you like my worksheet?

Ms. Moermond: Yes. Just a second. I want to look at a sample letter and I have one for this afternoon.

Ms. Shaff: What do you need on it?

Ms. Moermond: I was looking for language on billing from your standard C of O letter.

Ms. Shaff: The language on the billing is it says St Paul Legislative Code authorizes this inspection and collection of inspection fees, performance fee schedule, inspection handouts are information on some of the violations contained in this report and our web page gives that.

Ms. Moermond: So there is a standard paragraph that there's forthcoming fees.

Ms. Shaff: Yes. Also it also says that on the appointment letters we charge for inspections. And the property owner/responsible party for this particular property has been to Landlord 101 and is very aware of fees.

Ms. Moermond: OK. Mr. Chanthavilay, can you tell me why you are appealing this fee.

[Mr. Chanthavilay and Mr. Too speak inaudibly]

*Mr. Too: We purchased the property together. From Dadders Estates.*

*Ms. Moermond: And what's your name?*

*Mr. Too: Steven. My name is Too. Like the number two.*

*Ms. Moermond: Why are you gentlemen appealing this assessment?*

*Mr. Too: The property was purchased from Dadder Estates.*

*Ms. Moermond: Yes.*

*Mr. Too: In March. We did not receive any notification at all. I think this entire Certificate of Occupancy. Until this notice recently.*

*Ms. Moermond: Have you talked to them about this?*

*Mr. Too: They did not indicate anything about this at all.*

*Ms. Moermond: Have you brought it to their attention that you received this assessment letter?*

*Mr. Too: Not yet. I believe they did use the property as a rental but after we purchased it to use as home single dwelling. The time lapse, the time that's being charged, so. We don't know if we are required to pay this. Considering that it's being used as a owner-occupied.*

*Ms. Moermond: Here's the thing. Do you need a C of O for the property if you are owner-occupied? No, you don't. Problem was, the guy who sold it to you, the company who sold it to you, had this bill hanging over their head that they knew was coming and they didn't tell you. Under state law, they are supposed to tell you if there are any bills coming down the pike, if there's any orders that are pending on it, so, for example, if the City had said you need to paint your house in six months and you'd bought the house and the order is a couple of months old and Dadders knew and you didn't know and Dadders is supposed to tell you and by the way, the City wants this house painted by this date. They are supposed to explain all that stuff to you in closing and they neglected to tell you about this. It is their responsibility legally to pay this. Now, it would be my hope that they would be stand-up guys and do that. 731 Sims, can you tell me what ward that's in?*

*Ms. Shaff: I think it's 6.*

*Ms. Moermond: All right. What the City can do is provide you with these documents that you can throw a cover letter on and say you owe us this \$569 that's being assessed to the property. Have you provided your email? We will get you all these letters, and it will be a stack.*

*Mr. Too: Yes.*

*Ms. Moermond: You have contact information for Dadders?*

*Mr. Too: From the closing.*

*Ms. Moermond: If you want to copy me on that letter, you don't have to give me all the documents. I will put it in front of the record going to City Council so the City Council can say if you guys haven't gotten the money from them, Dadders was supposed to pay this and they didn't and they need to be stand-up on this and take care of business. OK? We will get you the documents. I am afraid I am going to have to approve it because the City did all those services and needs to be reimbursed for all of that. You shouldn't have to pay it; we'll do whatever we can to help you get that money from them and I think that you will be successful. I'm sorry you have to go through the hassle of writing them a letter and attaching this stuff to it. Hopefully that will do the trick and you won't have to take it to the next level.*

*Mr. Too: What is the next level?*

*Ms. Moermond: Probably small claims court. Were you represented in the transaction by a realtor?*

*Mr. Too: Yes*

*Ms. Moermond: I would copy your realtor on this, too. Maybe your realtor could help you deal with this. That's one of the things they can do and they understand. We will get you what we can to document all this stuff so that's there's no question that these services were provided and here's what the charge is for. All right? I'm sorry I can't do more for you. But we will get you as close to the finish line as we can.*

*Mr. Too: OK.*

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*Approve the assessment.*

**Referred to the City Council; due back on 1/9/2019**

**28**     [RLH TA 18-573](#)

Ratifying the Appealed Special Tax Assessment for property at 845 CASE AVENUE. (File No. J1901E, Assessment No. 198300) (Continue to April 3, 2019)

**Sponsors:**         Bostrom

*Neptali Joachin, property owner appearing.*

*..Tax Assessment Worksheet*

*Cost: \$122*

*Service Charge: \$35*

*Total Assessment: \$157*

*Gold Card Returned by: Neptali Joachin Palofox*

*Type of Order/Fee: Excessive Inspection during April 23 to May 21, 2018*

*Nuisance: Garbage/Rubbish*

*Date of Orders: SA on 3/28/18 for garbage & Correction Notice 3/29/18 for unapproved parking; ground cover*

*Compliance Date: 4/4/18 & 4/5/18*

*Re-Check Date: 4/5/18-rubbish gone*

*Date Work Done: NA*

*Work Order #: 18-046692 Inv # 1371534*

*Returned Mail?: No*

*Comments: LANGUAGE LINE SERVICE WAS USED.*

*History of Orders on Property: Jan 2017*

*Ms. Moermond: Let's recess for a moment while we get the materials for Language Line. I'm going to invite you to pull your chair up here and that way we can get your voice on the phone for when the interpreter comes on the line.*

*Mr. Joachin: OK.*

*[Language Line is engaged.]*

*Interpreter: This is John 2602859. Is the customer with you?*

*Ms. Moermond: Yes, the customer is here. We are at a Legislative Hearing.*

*Interpreter: Yes, ma'am. [Speaks Spanish]*

*Mr. Joachin: Si, buono. OK.*

*Ms. Moermond: We are going to start with a staff report to explain the background on why they are proposing a special assessment on the property and then I'd like to talk with the appellant to find out why he is appealing this proposed assessment and what he is looking for today.*

*Interpreter: [Speaks Spanish.]*

*Mr. Joachin: OK.*

*Ms. Moermond: Mr. Yannarely.*

*Mr. Joe Yannarely: DSI inspector issued a correction notice on March 29, 2018, to provide adequate ground cover and to cease parking next to the garage with a compliance date of May 16, 2018. Reinspected on May 17, found the conditions to persist so she issued an Excessive Consumption Order for \$122 with an administration fee of \$35 for a total assessment of \$157 for non-compliance.*

*Interpreter: [Speaks Spanish.]*

*Mr. Joachin: OK.*

*Interpreter: OK.*

*Ms. Moermond: Mr. Yannarely, you indicated that the orders were originally issued at the end of March with compliance mid-May.*

*Mr. Yannarely: Correct.*

*Ms. Moermond: The charge is because there wasn't compliance by the deadline but the property is in compliance now.*

*Mr. Yannarely: Now. After another set of orders and another EC.*

*Ms. Moermond: So there are two Excessive Consumption charges associated with this not being done on time?*

*Mr. Yannarely: Right. Only one is before you right now. The other one is in a*

*different bill period.*

*Ms. Moermond: The other one will come. The billing period we are looking at today [inaudible]. That will be coming up then.*

*Mr. Yannarely: Uh huh.*

*Ms. Moermond: Because he wasn't done by the established deadline, they charged him one Excessive Consumption fee for that and then they set another deadline he missed. They charged him a second one for that which we are not talking about today. As of June 29, he is in compliance.*

*Interpreter: [Speaks Spanish.]*

*Mr. Joachin: OK.*

*Ms. Moermond: So he is appealing this assessment. Can he tell me why and what he is looking for today?*

*Interpreter: [Speaks Spanish.]*

*Mr. Joachin: [Speaks Spanish.]*

*Interpreter: Muchas gracias. This is the first time I am doing this because this is the first time I bought a house. I never get a these kind of [inaudible] to my place. Actually we received notification. When I bought this house, they told me that I can park next to my garage because I have the class 5 floor. I believe there was a lot of dirt covering the class 5 floor so they didn't know that I can park my car next to the garage.*

*Ms. Moermond: When did you buy the property, sir?*

*Mr. Joachin: This year. 1 January.*

*Ms. Moermond: January of 2017? Or January of 2018?*

*Mr. Joachin: [Speaks Spanish.]*

*Interpreter: [Speaks Spanish.]*

*Mr. Joachin: Si.*

*Ms. Moermond: The property was purchased...*

*Interpreter: January, 2017. He has more than a year.*

*Mr. Yannarely: Just one abandoned vehicle complaint. It looks like it might be the same thing that started this whole thing. Yeah, that's it.*

*Mr. Joachin: [Speaks Spanish.]*

*Interpreter: When I received the notification, I didn't have the money to make the parking space but right now I put cement and everything, the parking space.*

*Ms. Moermond: I am really happy that he has it taken care of now, as of the end of June. One thing I just asked staff was to tell me if there was a history of any other complaints on the property so that I could look at this in the context of overall how he is doing with the City's Code Enforcement people.*

*Interpreter: [Speaks Spanish.]*

*Mr. Joachin: OK.*

*Ms. Moermond: It looks like there was one other instance, Mr. Yannarely, do you want to describe?*

*Mr. Yannarely: It looks like it was part of the same complaint. There was some garbage/rubbish. Basically housing construction debris due to a remodel type thing. Just trash, broken house parts, remodel construction debris in backyard. That was March, 2018.*

*Ms. Moermond: So it all came in this one.*

*Mr. Joachin: [Speaks Spanish.]*

*Interpreter: [Speaks Spanish.] Actually, I wasn't keeping garbage. I was fixing and changing the windows and I didn't want to throw windows away, so I was waiting to finish with the whole windows. That's why I didn't throw the garbage at the first time. As I received the notification, I throw all the garbage away.*

*Ms. Moermond: There is this assessment we are talking about today which is the first of two bills for not having the work done on time. I'm going to ask the City Council to continue this matter. The City Council gets this on January 9 and I am going to ask them to continue it to April 3. On April 3, if he hasn't had any other violations, I am going to recommend that this gets deleted. He has another one forthcoming and I will make the same recommendation on that. That gets continued to April 3 and if there's no other violations, that gets deleted. OK?*

*Interpreter: [Speaks Spanish.]*

*Mr. Joachin: [Speaks Spanish.]*

*Interpreter: I have a question. Is there a report someone makes for me? For the inspector who was checking? Because I have a lot of neighbors, they don't have pavement or gravel on the floor. They leave a lot of garbage on the street so I just want to know about that.*

*Ms. Moermond: What can we say? Was this identified in the field by an inspector or was this a call that came in to the complaint line?*

*Ms. Martin: Looks like it was a complaint that was called in.*

*Ms. Moermond: A complaint was called in to the City.*

*Interpreter: [Speaks Spanish.]*

*Mr. Joachin: [Speaks Spanish.]*



*Interpreter: OK. So someone called to make a complaint. OK.*

*Ms. Moermond: Hopefully we are all clear now and I am more than willing to delete this assessment if everything is good to April.*

*Mr. Joachin: OK.*

*Interpreter: [Speaks Spanish.]*

*Mr. Joachin: [speaks Spanish.]*

*Interpreter: I need to pay the penalty? Or something?*

*Ms. Moermond: No. The letter he has today simply tells him that there is a proposed assessment. He will get a second letter that is just like it, probably within a month, if he hasn't gotten it already. He doesn't have to pay anything unless it comes to him as an invoice. The invoice will have specific instructions. He should not receive anything at all through at least mid-April and that's if he gets a big complaint on his property and I have to charge him the assessment. But I'm not expecting that I would because this was the only instance that there was anything going on.*

*Interpreter: [Speaks Spanish.]*

*Ms. Moermond: I should add that if something does happen that he gets an invoice, if it goes unpaid, it will go onto his 2020 property tax bill. That doesn't go against his credit rating or anything like that. The interest rate is 3.25% or something like that.*

*Interpreter: How much percent, ma'am?*

*Ms. Moermond: I think 3.25% or close to that.*

*Interpreter: Thank you ma'am. [Speaks Spanish.]*

*Mr. Joachin: OK.*

*Ms. Moermond: If he wishes to object to my recommendation, the public hearing is on January 9, as it says in his letter. Otherwise, I will next look at the case for the April 3 City Council meeting. As well as his other case.*

*Interpreter: [Speaks Spanish.]*

*Mr. Joachin: OK. [Speaks Spanish.]*

*Interpreter: OK. So that's the end of it, right?*

*Ms. Moermond: Yes, that's everything. Thank you.*

*Mr. Joachin: Thank you.*

*Interpreter: Thank you, ma'am. Have a good day.*

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*Public hearing continued to April 3, 2018 and if no same or similar violation(s), will delete. Hearing Officer will delete the pending EC as well if there are no same or similar violation(s).*

Referred to the City Council due back on 1/9/2019

- 29 [RLH TA 18-572](#) Ratifying the Appealed Special Tax Assessment for property at 740 WASECA STREET. (File No. J1901E, Assessment No. 198300)

**Sponsors:** Noecker

*Gina Yanez, property owner appearing.*

*Cost: \$122*

*Service Charge: \$35*

*Total Assessment: \$157*

*Gold Card Returned by: Louis & Gina Yanez-walk in*

*Type of Order/Fee: Excessive Inspection during April 23 - May 21, 2018*

*Nuisance: Garbage & illegal occupancy*

*Date of Orders: 4/3/18; 4/26/18,*

*Compliance Date: 4/9/18; 5/2/18*

*Re-Check Date: 4/17/18; 4/25/18; 5/1/18; 5/14/18*

*Date Work Done:*

*Work Order #: 18-048794 Inv # 1367413*

*Returned Mail?: No*

*Comments: Too many trips for illegal occupancy.*

*History of Orders on Property: Many*

*Ms. Moermond: Mr. Yannarely.*

*Mr. Joe Yannarely: This is for multiple summary abatement orders that were issued in the month of April. There was a garbage/rubbish SA issue on April 2, 2018, an unsecured occupied illegal occupancy issue on April 17 and another unsecured and illegal occupancy on the night of April 25 which incurred the excessive consumption fine of \$122 with a \$35 admin fee for a total assessment of \$157.*

*Ms. Moermond: Were there any other violations in the past 12 months? We have reached the magic three, for sure.*

*Mr. Yannarely: That was when it became a Vacant Building. Prior to that, we have: a garbage complaint on Oct, 2017; a parking complaint in August, 2017; another parking, another garbage in June, 2017; illegal burning in April, 2017. So there's been issues. The Vacant Building file has been closed.*

*Ms. Moermond: Ms. Yanez, you are appealing this. Can you tell me what you are looking for today?*

*Ms. Yanez: I didn't know what was going on, so that's why I came.*

*Ms. Moermond: OK. You are being charged because of the number of times Code Enforcement has had to be at your property.*

*Ms. Yanez: OK.*

*Ms. Moermond: Are you appealing that assessment?*

*Ms. Yanez: I don't know. Was somebody there? My brother was there? Talked to somebody?*

*Ms. Moermond: You are not being charged for an individual instance, you are being charged because your property uses so many services. They have documented three in April and the threshold is three in a 12 month time period. Staff listed out four, five other times in the past 12 months when the City has had to do code enforcement at your property. This is the first Excessive Consumption bill.*

*Ms. Yanez: That's the \$157.*

*Ms. Moermond: Yes.*

*Ms. Yanez: OK.*

*Ms. Moermond: It was originally \$122 and then it gets the service charge added on to that.*

*Ms. Yanez: OK.*

*Ms. Moermond: I'm going to recommend approval. City was out there.*

*Mr. Yanez: Yes. I understand.*

*Ms. Moermond: Have a good rest of your day.*

*Ms. Yanez: Thanks.*

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*Approve the assessment.*

**Referred to the City Council due back on 1/9/2019**

## Assessment Rolls

- 30**    [RLH AR 18-85](#)    Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during April 10 to May 13, 2018. (File No. CRT1901, Assessment No. 198200)
- Sponsors:**        Brendmoen
- Referred to the City Council; due back on 1/9/2019**
- 31**    [RLH AR 18-86](#)    Ratifying the assessments for Trash Hauling services from June 6 to 26, 2018. (File No. J1901G, Assessment No. 198700)
- Sponsors:**        Brendmoen
- Referred to the City Council; due back on 1/9/2019**
- 32**    [RLH AR 18-87](#)    Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during April 23 to May 21, 2018. (File No. J1901E, Assessment No. 198300)
- Sponsors:**        Brendmoen

Referred to the City Council; due back on 1/9/2019

- 33 [RLH AR 18-88](#) Ratifying the assessments for Graffiti Removal services during June 20 to July 17, 2018. (File No. J1901P, Assessment No. 198400)

Sponsors: Brendmoen

Referred to the City Council; due back on 1/9/2019

### 11:00 a.m. Hearings

#### Summary Abatement Orders

- 35 [RLH SAO 18-70](#) Making finding on the appealed nuisance abatement ordered for 1004 EDMUND AVENUE in Council File RLH VO 18-43. (Public hearing continued from October 3)

Sponsors: Thao

*Supervisor Lisa Martin: interior is completed; cleaned out  
-exterior: very close to completion - temporary structure is gone; some sheds are gone; vehicles & 2 sheds still need to be moved  
-thinking they'll be done by Oct 15, 2018*

*Ms. Moermond: their deadline was yesterday; they are not in compliance  
-I will ask City Council to Lay this Over to Oct 17, 2018  
-we'll talk again Oct 16 LH*

\_\_\_\_\_  
*Recommend continuance to Oct 17, 2018.*

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

- 36 [RLH SAO 18-61](#) Making finding on the appealed nuisance abatement ordered for 386 ROSE AVENUE EAST in Council File RLH SAO 18-41.

Sponsors: Brendmoen

*Nuisance abated; file is closed.*

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

### 11:30 a.m. Hearings

#### Orders To Vacate, Condemnations and Revocations

### 1:30 p.m. Hearings

#### Fire Certificates of Occupancy

- 38 [SR 18-152](#) Request for extension by Gabriel Mba to a Correction Notice -

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Re-Inspection Complaint at 1020 BANDANA BOULEVARD WEST.

Sponsors: Jalali Nelson

Gabriel Mba appeared.

*(Mr. Mba seems to be mumbling in a very soft voice; I cannot understand him. I couldn't understand him at the hearing either.)*

*Ms. Moermond: the City Council heard an appeal of the Orders to do this exterior repair work; they granted you an extension & you haven't been able to do the work for lack of funds - you didn't make the Oct 1, 2018 deadline; because the Council already made a decision on the Correction Order, they aren't going to hear an appeal on the exact same thing; so, today, we'll talk about putting together information for the Councilmember so that she can decide if she wants to sponsor a Resolution giving you an extension; normally, not complying by a deadline in a higher level of enforcement action & in this case, it would probably Revocation of the Certificate of Occupancy or a Criminal Citation but that isn't going to get the work done any more quickly*

*Fire Supervisor A.J. Neis: little progress has been made since we were here last time & it's the same issue - lack of funds to get the work done  
-I spoke with the Appellant & he has applied for & it sounds like he's going to be getting approved for a STAR Grant*

*Mr. Mba: the STAR Grant is approved; we already submitted additional information that they wanted  
-they approved money for the interior & the exterior work on the building, about \$36,000-\$37,000*

*Mr. Neis: do you have an estimate to do the exterior work?*

*Mr. Mba: yes; one came in at \$?????; the other came in at \$?????*

*Ms. Moermond: can we get copies of the estimate that you're going to use & a letter from the STAR Grant approval?  
-when do you plan on doing the work?*

*Mr. Mba: by the end of Nov*

*Mr. Neis: unless we get a warm snap, installation may be a challenge in Nov  
-if we have funding available & we are sincere this time...  
-as long as we see that the STAR Grant is funded, I'm OK with Jul as long as we have confirmation*

*Ms. Moermond: we have a project  
-instead of you having to get the paperwork from Andrew Hestness, Ms. Naylor will email him for it in PED  
-you can email your estimate to Legislative Hearings  
-I'll prepare a Resolution to give you time to Jul 2019 to do the repair work on the exterior  
-I will attach your estimates & STAR Board approval to the Resolution*

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*Legislative Hearing Officer recommends granting the owner until July 1, 2019, to complete the exterior repairs.*

*A new resolution will go before Council on October 24 to grant additional extension.*

**Received and Filed**

- 39 [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

*Max Currie, Construction & Project Manager, Court International LLC, appeared.*

*Ms. Moermond: You were having trouble connecting with Mr. Ubl; some weeks ago, I talked with Mr. Ubl & he indicated that he was looking for some information from you*

*Mr. Currie: I definitely gave that to him & he & I came up with a plan; it was acceptable to him for us to put in a pull station in the corridor for that large north tenant so that in the event of an emergency of any kind, you'd pull this thing & the door released*

*Ms. Moermond & Mr. Currie viewed the floor plan; Mr. Currie showed her where that would be*

*Mr. Currie: "We're going to put the button (pull station) on this door in the corner; that allows the large tenant located on the east central side of the building on the 4th floor to access Big Brothers Big Sisters Suite to get to the northeast stairwell"  
-this will be installed within 1 month*

*Ms. Moermond: I will ask City Council to grant an extension to Nov 1, 2018 for the installation of a pull station so that the east central tenant on the 4th floor can access the space of the northeasterly tenant of the 4th floor to get down the egress stairs*

*Grant the owner until November 1, 2018 to bring the property into compliance.*

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

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 40 [RLH VBR 18-75](#) Appeal of Thomas Lieberman to a Vacant Building Registration Fee Warning Letter at 1519 MARSHALL AVENUE. (Legislative hearing on October 16)

**Sponsors:** Thao

*Thomas J Lieberman appeared.*

*Supervisor Matt Dornfeld, Vacant Buildings: 1519 Marshall's Certificate of Occupancy was Revoked by Fire Inspector Joe Brown on Jun 19, 2018; Insp Brown transferred that file to our Vacant Building Program; Insp Mike Kalis opened a Category 1 VB at that time; it appears that the Appellant contacted Mr. Brown in early Jul; they agreed to close the original VB file because the Appellant had an open building permit & he stated that the repairs that were needed would be made in the coming days; is it my*

*understanding that those repairs were not made & so at the end of Jul 2018, so then, Fire Insp Brown transferred it again over to VB, where we opened a Cat 2 VB file; since then, it is our belief that the house has remained occupied; there still is an open bldg permit on file; the property owner has spoken with Insp Kalis, who advised him to file the appeal; as of Oct 1, 2018, the VB fee is on its way to assessment*

*Ms. Moermond: we've got a Summary Abatement Order, too?*

*Mr. Dornfeld: yes; that's for boarding & securing; I'm not sensing from Insp Kalis a need for an urgent vacate of the house; nonetheless, he issued it just in case*

*Ms. Moermond: he didn't do a very good job; it doesn't say "boarding & securing;"*

*Mr. Dornfeld: I agree*

*Mr. Lieberman: the bldg permit was for the front steps & do you know how hard it is to get a contractor? the contractor who's doing the job lives in the area; he agreed to do it as a favor because I couldn't get anybody to fix the front steps; you can go to Menards & get a 3-stringer piece of wood that's already cut & put it up against the front porch & you could have made front steps but the inspector said that I needed a contractor to do the job*

*because I couldn't do it myself; so, I agreed to that & hired a contractor; then, Insp Brown got into a big argument with the contractor; the contractor kind-a-like rents the house & Mr. Brown's brother lives there; they both work in housing repair; I got a couple of bldg permits to comply with what Joe Brown wanted; then, they got into an argument with Joe Brown; & that's why my Certificate of Occupancy was Revoked & I'm trying to comply with what the city wants  
-he noted properties in the area with the wooden steps he mentioned*

*Ms. Moermond: so you pulled the permit; has the work been done?*

*Mr. Lieberman: yea*

*Ms. Moermond: have you called the building inspector to get it inspected?*

*Mr. Lieberman: apparently they did inspect it because the contractor knows the building inspector*

*Mr. Dornfeld: the permit is still showing that it's open but there are other items included on the Revocation than just the steps: the stairway; provide & maintain the roof weather tight & free from defects; south side - provide & maintain all exterior walls free from holes & deterioration; exterior property areas shall be maintained free from garbage; ground cover in front yard*

*Mr. Lieberman: the whole house has been re-sided with plastic siding  
-there used to be a little front porch on this house; it was tacky so, we took it down & there was a little part of the roof that was patched; it's been fixed; I met Insp Brown in Jul*

*Ms. Moermond: you should be the one interacting with Insp Brown not your tenants; were you at the inspection where he wrote these Orders?*

*Mr. Lieberman: there wasn't anybody there; it was all done; I've had a heart attack & a stroke & I'm not working because I'm on disability; so, constantly I have doctor*

appointments, etc, & have to get things checked out & instead I'm down here  
-every time that I was aware that Insp Brown was going to be at the property, I was there, too

Ms. Moermond: it was your tenant's brother who pulled the permit but didn't get it finalized

Mr. Lieberman: apparently so

Mr. Dornfeld: the building inspector on this is Nathan Bruhn, 651/266-9033

Ms. Moermond: give Mr. Bruhn a call to inspect the steps & have him sign-off on the permit

-when will the siding work be done?

Mr. Lieberman: sometime this summer

Ms. Moermond: the siding contractor will need to pull a bldg permit in order for it to be inspected; when he comes out, have him take a look at the roof

-let's take this from a Cat 2 to a Cat 1 VB

-I will Lay this Over for 2 weeks; if the permits have been pulled & finalized, fine; & everything's been taken care of then, you won't need to come down; I can then grant your appeal & you'll be out of the VB program; if it isn't taken care of at that time; if there's difficulties, then I can figure out a deadline & what we'll do with the VB fee; a lot of grace has been given in this process; your C of O was Revoked, yet it continues to be occupied by renters - it wasn't vacated yet you don't have a Certificate & that is a violation of the Legislative Code; you could be cited, criminally

Mr. Dornfeld: the VB fee went to assessment on Mon

Ms. Moermond: I'll put a call into the building inspector, Nathan Bruhn, still today, so that he looks at the roof, too

Legislative hearing on October 16 with Public hearing on October 17, 2018.

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

**41**     [RLH VBR 18-77](#)     Appeal of Hye Ran Na to a Vacant Building Registration Requirement at 1106 PAYNE AVENUE.

**Sponsors:**     Bostrom

Hye Ran Na, owner, and her husband, Mark Brakke, appeared.

Supervisor Matt Dornfeld, Vacant Buildings: this is a Category 1 Vacant Building fire file; fire took place in late Feb, 2018; we opened this file Feb 27, 2018; no nuisance complaints; property's been maintained; permits are open & active

-we put in a 90-day VB fee as soon as file was opened due to the fire; then, Insp Friel extended it another 90 days, which brings us to now

-today, we're here to discuss a VB fee

Mr. Brakke: we met with the contractor yesterday; I was hoping to have a more specific chronology; my wife had a problem with the prior tenants, who claimed ownership of the building; so, we were bogged down for 2-3 months getting that



resolved; there was a Contract for Deed & there was an option for purchase, which they didn't exercise; we retained Dudley & Smith to represent us & it was finally resolved in mid-May

Ms. Moermond: whose insurance is covering this?

Ms. Na: my insurance; I had a lot of problems with the tenants; they shut off the power several times

Mr. Brakke: we actually had an order to evict them for Mar 15, 2018; the fire was on Feb 23; it was kind of suspicious but she didn't actually have insurance on her belongings so that doesn't make a lot of sense; after the fire, we thought there would be no more problems but then she maintained that she had a right to the building; & with her belongings burned, it had to be cleaned out but we had to resolve ownership first; finally, on May 14, 2018, we got it settled

Ms. Moermond: she's out now; what's the plan for fixing the bldg?

Mr. Brakke: we are working with Robideau Construction; I asked for weekly updates to make sure that we were making some progress; we retained him on Jun 16, 2018; he will do it all; he seems pretty competent; he hasn't been real great keeping us updated; he is working at it & he's at the mercy of others, too; they came back with a design yesterday; we are still working with insurance to make sure that they'll cover it plus code upgrades - it's still a work in progress; at one time, he had hoped that it would be finished by the end of the year but maybe not until the beginning of next year -the last time we talked to Reid Soley, he wanted to make sure that there was some progress being made on it; so I didn't think it would be a big thing to get another extension but he didn't remember our previous conversation

Ms. Moermond: that dept can't give any more extensions; they can give you only 6 months; after that, you end up here  
-have you talked to State Farm about paying the VB fee?

Mr. Brakke: we have; we're trying to get them to pay lost revenue; I'm worried that it will be a while

Ms. Moermond: the fire was at the end of Feb 2018; it would be good for you to have the work done by the end of the year but that would mean that at least 10 out of 12 months you'd be in the VB Program; you would have been vacant for most of the year; if you want, you can wait until it goes to assessment, that would give you more time to talk with your insurance company about it & the assessment is appealable & at that time, I can divide it over 5 years so that if your insurance company doesn't cover it, you won't have to deal with it immediately; that's an option for you, if needed; when you get the letter, return the gold postcard & appeal it  
-I will allow permits to be pulled

Appeal denied, as the vacant building registration fee has gone to assessment.

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

42 [RLH VBR 18-71](#)

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

Sponsors: Tolbert

*No one appeared.*

*Ms. Moermond: this is a case where you were going to go out & assess the livability of the property*

*Supervisor Matt Dornfeld, Vacant Buildings:*

*-I made that inspection this morning; I met Ms. Janette Hillard & her daughter Diane at the property*

*-I have a good report: the clutter was completely removed; all gross unsanitary cluttering issues are now in compliance; the place looked good/clean; smelled good; water was on; the furnace was on; smoke/CO detectors were in place & operable; I reminded them that we would like to check back with them in 90 days to see how it's going*

*-House Calls & Adult Protection are also involved here*

*-the daughter said that she intends to visit her mom at least once a week; a neighbor has volunteered to help*

*-I'd like to see them removed from the VB Program & that Ms. Hillard could re-occupy the house*

*-I will put a tickler in the system to re-check the home in 90 days*

*Ms. Moermond: I will recommend that City Council grant the appeal on the VB registration; the issues & the Condemnation leading to the VB status have been abated*

*Mr. Dornfeld: I'll do a progress re-inspection after Jan 1, 2019 to make sure that Ms. Hillard is staying on track*

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*Appeal granted, as the issues leading to the vacant building status have been abated.*

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