



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
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651-266-8585

Tuesday, November 20, 2018

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 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

SPRWS Plumbing permit still active. Forthcoming recommendation.

UPDATE: Code Compliance certificate issued on 10/31/18. STAMP has date as 12/4/18.

Recommendation: Ratify and reduce from \$2,284 to \$1,142 as property spent 5 3/4 months of 12 billable months in the Vacant Building Program.

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

- 2 [RLH TA 18-644](#) Ratifying the Appealed Special Tax Assessment for property at 1847 ENGLEWOOD AVENUE. (File No. J1905A, Assessment No. 198504)
Sponsors: Jalali Nelson

Tsion Yifru, owner, appeared.

Supervisor Paula Seeley:
Cost: \$344
Service Charge: \$162
Total Assessment: \$506
Gold Card Returned by: TSION YIFRU
Type of Order/Fee: SUMMARY ABATEMENT
Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY (remove dumpster bag full of garbage, debris on driveway & wood debris along garage & driveway near alley)
Date of Orders: 7-31-18
Compliance Date: 8-7-18
Re-Check Date: 8-7-18
Date Work Done: 8-9-18
Work Order #: 18-091939
Returned Mail?: NO

Comments:

History of Orders on Property: NO

-I spoke with the owner; at the time of re-inspection, it was there but apparently, she has receipts from Waste Management that they cleaned it up

Ms. Moermond: why are you appealing?

Ms. Yifru: I got the letter in the mail & then, I called Waste Management to come pick it up & it was gone so, I assumed that they had picked it up; I have a confirmation from them (entered)

Ms. Moermond: let's see what the city did in the VIDEO

VIDEO - city crew removed the dumpster bag, wood, debris, etc, from along driveway & side of garage near alley

Ms. Yifru: the debris on the side was there when I bought the house

Ms. Moermond: it's still on your land

-if you were invoiced from Waste Management, if they charged you, you should get your money back; the city can provide you with Video evidence that it did the work

Ms. Yifru: I wasn't sure about the other stuff

Ms. Moermond: you're kind of stuck; I can make it payable over a couple of years; I don't have many options; you got Noticed & the Parks cleaned it up

Approve and spread over 2 years.

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

- 3** [RLH TA 18-649](#) Ratifying the Appealed Special Tax Assessment for property at 383 GERANIUM AVENUE EAST. (File No. J1905A, Assessment No. 198504)

Sponsors: Brendmoen

Gholam Kian, owner, appeared.

Supervisor Paula Seeley:

Cost: \$288

Service Charge: \$162

Total Assessment: \$450

Gold Card Returned by: Gholam Kian

Type of Order/Fee: Summary Abatement

Nuisance: Failure to maintain exterior (rotting chicken behind garage)

Date of Orders: 7-23-18

Compliance Date: 7-27-18

Re-Check Date: 7-31-18

Date Work Done: 8-1-18

Work Order #: 18-089210

Returned Mail?: No

Comments:

History of Orders on Property: 6/22/18 Garbage and 8/23/18 Garbage, history in 2017.

VIDEO - crew picked up a rotting chicken behind the garage

Mr. Kian: I had a conversation with Paula; my tenant assured me that they cleaned it up & I believed that they did; I'm here to figure it out
-did you see that! \$450 for that!

Ms. Moermond: I would hate you if I were the neighbor - that stinky mess stinking up the neighborhood; really; that's just disgusting!

Mr. Kian: it was dumped there

Ms. Moermond: and you got a letter telling you to deal with it

Mr. Kian: she did deal with it ---maybe there was a lot more there; I don't know; maybe she missed it; I didn't get a call back from Paula otherwise I would have sent my own crew out

Ms. Moermond: but you didn't because your tenant said they'd take care of it

Ms. Seeley: it says here: general refuse (yardage) = \$28; code enf fee = \$162; garbage abatement = \$260

Ms. Moermond: I can see reducing it ----; I will cut it in half but I won't eliminate it

Reduce from \$450 to \$225.

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

- 4 [RLH TA 18-640](#) Ratifying the Appealed Special Tax Assessment for property at 557 GORMAN AVENUE. (File No. J1905A, Assessment No. 198504) (Public hearing continued to June 5, 2019)

Sponsors: Noecker

Raul Llubes, owner, appeared. (Spanish interpreter also appeared.)

Supervisor Paula Seeley:

Cost: \$160

Service Charge: \$162

Total Assessment: \$322

Gold Card Returned by: Raul Llubes

Type of Order/Fee: Summary Abatement Order

Nuisance: TGW

Date of Orders: 7/30/18

Compliance Date: 8/3/18

Re-Check Date: 8/6/18

Date Work Done: 8/8/18

Work Order #: 18-091836

Returned Mail?: No

Comments: OWNER REQUESTS SPANISH INTERPRETER

History of Orders on Property:

VIDEO - didn't work

Ms. Moermond: I have a photo that shows the majority of the grass/weeds in the yard was 8-10 inches high (Inspector used a ruler to measure)

Mr. Llubes: I was on vacation out of the country; I told my son to cut the grass & he didn't

Ms. Moermond: is there a history?

Ms. Seeley: had TGW complaint on Jun 29, 2018 but it was done by owner

Ms. Moermond: there's no VIDEO; have photo; I'd like to give him credit for taking care of it a month earlier; & I would like to reduce the assessment to \$200 -if no same/similar violation(s) thru Jun 1, 2019, I will delete it

*Mr. Llubes: there will not be any more complaints
-I will be out of the country for 5-6 months & my daughter will be taking care of my property*

Ms. Moermond: OK; in winter, make sure the snow is shoveled within 24 hours after a snow fall

Reduce from \$322 to \$200 and public hearing continued to June 5 and if no same or similar violations(s) by June 1, will delete the \$200.

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

- 5** [RLH TA 18-657](#) Ratifying the Appealed Special Tax Assessment for property at 1350 HAGUE AVENUE. (File No. J1906A, Assessment No. 198505)

Sponsors: Thao

Approve; no show.

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

- 6** [RLH TA 18-647](#) Ratifying the Appealed Special Tax Assessment for property at 190 LARPENTEUR AVENUE WEST. (File No. J1905A, Assessment No. 198504)

Sponsors: Brendmoen

Aimee Golden-Sorrell, regional property manager, appeared.

Supervisor Paula Seeley:

Cost: \$402

Service Charge: \$162

Total Assessment: \$564

Gold Card Returned by: Aimee Golden-Sorrell

Type of Order/Fee: Summary Abatement

Nuisance: Failure to maintain exterior (remove mattress, box spring, bed frame, dresser, scrap wood & misc debris from around the dumpster & dumpster enclosure area)

Date of Orders: 7-25-18

Compliance Date: 8-1-18

Re-Check Date: 8-2-18

Date Work Done: 8-3-18

Work Order #: 18-090276

Returned Mail?: No

Comments:

History of Orders on Property: 5/8/18 Garbage

VIDEO - crew removed furniture, mattress, box spring, tire, loose & scattered trash, garbage on the ground, boxes

Ms. Golden-Sorrell: I'm from the managing agent; owners are Aeon; obviously we had some issues that we've rectified; the caretaker is on site; the area is cleaned up; we didn't receive a letter; it was probably sent to Aeon but it was not sent to us; -I don't know what happened; I'm not on site; it's located in an area that's known for trash

-the first time I heard about this was Aug 1 from a City Council person who emailed Ellen Arthur, owners of Aeon, who took over the property about a year ago

Ms. Seeley: May 8 was garbage, too; nothing since

Supervisor Lisa Martin: I was the fire inspector for those bldgs there & they are very well maintained; we normally don't have any complaints over there

Ms. Moermond: the volume of material that had to be removed does strike me; you do have a decent history here but a lot of stuff; Notice was sent to 3 different locations

Ms. Golden-Sorrell: we have an office on site & we have office hours now; hopefully, it won't happen again; there was a move out
-we're also getting a lot of dumping

Ms. Moermond: so much volume that the city removed; I feel like I have to recommend approval

Approve the assessment.

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

7 [RLH TA 18-648](#) Deleting the Appealed Special Tax Assessment for property at 173 PRESCOTT STREET. (File No. J1905A, Assessment No. 198504)

Sponsors: Noecker

Joseph Card, owner, appeared.

Supervisor Paula Seeley:

Cost: \$160

Service Charge: \$162

Total Assessment: \$322

Gold Card Returned by: Joseph Card

Type of Order/Fee: Summary Abatement

Nuisance: Failure to cut tall grass and weeds

Date of Orders: 7-30-18

Compliance Date: 8-4-18

Re-Check Date: 8-8-18
Date Work Done: 8-10-18
Work Order #: 18-092340
Returned Mail?: No
Comments:
History of Orders on Property: No

VIDEO - crew cut the TGW over 8 inches tall on the empty lot

Mr. Card: that's not my property; it's the neighbor's property; I called up twice to speak with Cedric Robie but he doesn't work for the city anymore; then I called Lisa Martin 3 different times; she refused to come out to the property so that I could show her that it wasn't my property; so I had to go to the neighbors to get them to sign letters that they'd take care of the property, 173 Morton & that's not the property they cut; so, I brought a bill for the city for my time dealing with this; it's not my property; they should bill the person that owns the property
-I do own 173 Prescott

Ms. Moermond: but what we saw in the VIDEO is not 173 Prescott

Mr. Card: the owner of the property that was cut is Brian Miller; I talked to him also & he said, "Yes;" the city came in & cut his property

Ms. Moermond: Ms. Martin, have you been on site here?

Ms. Martin: No, I haven't; I spoke with him on the phone; he had just recently called; I looked at the VIDEO & I explained to him.... he said that around the tree area, that was part of his property but the other part was not; that's why I told him to come & that we'd take a look at the VIDEO & make a decision; it looks like his property was also cut

Ms. Moermond: write down your email address
-I'm going to take a look at an aerial photo with Ramsey Co property tax lines on it; I'll review the VIDEO to see if the fence line gives me any indication; I'm looking for something that I can attach to the Council record; give me any letters that you want from the neighbors & we'll scan them into the record
-I won't be able to conclude this today; I need more time to look at it; then, I can come up with an answer

Mr. Card: it would have been nice if your inspector just could have gone out there instead of us dealing with this here; we have a broken system

Ms. Moermond: they're not my inspectors; I work for the City Council; they work for the Mayor

VIDEO - again

Mr. Card: that tree way off to the right, the one closest to the red brick house; they're the ones that use my property; they maintain it; that's what they wrote on the letter - that they maintain it; they shovel the snow; they cut the grass

Ms. Moermond: OK; I'll try to figure it out when I look at the aerial photograph; I'll share any information with you; I should be able to get back to you tomorrow or Mon

The neighbors letters were scanned

Forthcoming.

FOLLOW-UP 12/14/18: The vacant lot at 173 Prescott is in an "L shape" and to its east is 197 Prescott. 197 has a very large yard, which appears in the aerial photographs and Google Map Street View to have a well maintained green space in the area nearer the house to the west, but there is a more unkempt area to the west of that. In reviewing the video, it appears there is a tree which is a landmark near the boundary of 173 and 197 Prescott. I believe the position of the tree in the video and on the aerial map demonstrates that tall grass and weeds at 197 was a large part of the clean-up, although I cannot say it is exclusively on that property, versus 173. Given the ambiguity, I would recommend the Council delete the assessment. -Moermond

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

- 8 [RLH TA 18-656](#) Ratifying the Appealed Special Tax Assessment for property at 1240 RICE STREET. (File No. J1905A, Assessment No. 198504)

Sponsors: Brendmoen

Herbert Zwirn, owner, appeared.

Supervisor Paula Seeley:

Cost: \$160

Service Charge: \$162

Total Assessment: \$322

Gold Card Returned by: Herbert Zwirn

Type of Order/Fee: Summary Abatement Order

Nuisance: TGW

Date of Orders: 7/27/18

Compliance Date: 7/31/18

Re-Check Date: 8/7/18

Date Work Done: 8/8/18

Work Order #: 18-091828

Returned Mail?: No

Comments:

History of Orders on Property: Shut off 5/21/18; Pending complts: 8-27-18. 9-10-18, 9-11-18, 9-14-18 (tgw, garbage)

Ms. Moermond: the photo shows that it was an average of 1 foot tall when it was inspected Aug 7

Mr. Zwirn: we don't need to look at the Video

-I sold the property in 2016 under a Contract for Deed; the occupant did not perform under that contract; I was in litigation to have the property returned to me; in Jun 2018, I filed an Eviction Notice & because of their backlog, the courts continued it to the first week in Aug; then, they neglected to provide me with escrow funds that were owed; I immediately took a proactive approach & contacted the inspection dept because I had noted that there were several violations on the property; I indicated to them that I wanted to work with them but I was under court Order to stay away from the property because of an acrimonious situation with the previous owner; I called Sean at DSI & was working with him; I had weekly conversations with Sean & we were in full

compliance working together on it; he understood the restrictions that I had because of the on-going litigation & acrimonious situation; then, I started getting letters from Richard, DSI, & I indicated to him that I was working with Sean & that I didn't want to go thru the entire explanation & that he should share that info; he took a rather difficult approach to it & said, "These are my findings; just deal with it;" I told him, "Listen; my life has been threatened because of the eviction; I'm under court advisement not to approach the property; when I did try to collect any rent the last time, I was held hostage at the property; SPPD was called; there's police reports on file on this; I'm not going to have my life endangered as a result of getting the property in compliance with inspection codes; Richard took a rather difficult approach to it & said, "These are the laws; deal with it;"

Ms. Moermond: was the Contract for Deed registered with the county?

Mr. Zwirn: yes; & there was a problem getting it re-registered back into my name; I finally got that re-established in May or the first part of Jun; subsequently, I found out that there are still some issues with getting it clearly in my name, which I'm currently working on with the title people
-I understand if the property was in distress as a result of his neglect; he owes Xcel over \$2000; he had the water shut-off; I was getting these Notices & I was contacting Sean to work with him; I told him that I couldn't go over there; even when police were with me to evict him, he had moved out that day - I took pictures of how distressed the property was; I can show you; there's over \$20,000 worth of damage there because he felt that America owes him

Ms. Moermond: Ramsey County did have this switched over to your name by the time this Order went out; so, you received Notice; the person, who's buying it on a Contract, did not receive Notice; & I'm not clear about when the title transferred back to you from them; but there were still some legal doings that kept you from being able to manage this situation

Mr. Zwirn: he wasn't paying on the Contract, so, I was in the Cancellation process & the court Ordered me to stay away from the property

Ms. Moermond: did the courts order you from not maintaining the property - like not having a property management company take care of things?

Mr. Zwirn: there were death threats; & I wasn't going to have somebody else in that position either; he basically said, "Stay away from the property"

Ms. Moermond: here's where I'm at with it: I need to come to a conclusion about whether it's the public sector that assumes responsibility for maintaining your private property in that circumstance or not; I'm thinking that it's going to be your concern with the person you sold it to for covering the costs for doing this; I want to reflect on that for a little bit
-it looks like there's a fair bit of other things that came down the pike

Mr. Zwirn: I'm assuming that

Ms. Moermond: if you have any documents that you think that I should look at while I think about this, we can scan them; (when title transferred; court findings; etc)

Mr. Zwirn: I've noted that I've had an on-going conversation with DSI in a proactive approach; I have documents about threats on my life when I'm trying to maintain the

property

-I'm not trying to shirk off responsibility but I'm not going to put my life in jeopardy or hire somebody else & put their life in jeopardy because of an idiot that is threatening lives because he thinks that America owes him something

Ms. Moermond: I hear you

Mr. Zwirn: 4 police officers came out on 4 different occasions; one wrote a police report about an incident where I was held hostage for the monies that were owed; when I talked to the police, they don't like to do "work-ups" ... I was trying to use that in my court case

Ms. Moermond: I will give this a serious look

—

Forthcoming.

—

FOLLOW-UP: Will recommend approval of the assessment. Access to the property concerns were a private matter and need to be resolved between the owner and former contract holder.

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

9 [RLH TA 18-659](#)

Ratifying the Appealed Special Tax Assessment for property at 1373 ARKWRIGHT STREET. (File No. J1905A, Assessment No. 198504) (Public hearing continued to June 5, 2019)

Sponsors: Brendmoen

Jeannine Thao, owner, appeared.

Supervisor Paula Seeley:

Cost: \$160

Service Charge: \$162

Total Assessment: \$322

Gold Card Returned by: Jeannine Thao

Type of Order/Fee: Summary Abatement Order

Nuisance: TGW

Date of Orders: 7/27/18

Compliance Date: 7/31/18

Re-Check Date: 7/31/18

Date Work Done: 8/1/18

Work Order #: 18-089438

Returned Mail?: No

Comments:

History of Orders on Property: 6/21/16 TGW, 5/18/17 - TGW (done by owner)

VIDEO - crew cut TGW

Ms. Thao: I did cut the grass; I didn't receive Notice from city;

Ms. Moermond: it looks like it was pretty tall when the city crew got there

Ms. Thao: I cut the grass but those are not grass; those are like bushes; it was

further down by the back; they're not really close to the street or where you'd build the house; I didn't get any Notice from the city at all; I wonder where they sent Notice to

Ms. Moermond: so, you're telling me that you cut the grass & you didn't get Notice

Ms. Thao: not the bushes but the grass that was close to the street; those bushes are way down to the back yard

*Ms. Moermond: and I saw a lot of grass in that VIDEO
-show that before Video again*

Ms. Thao: eventually, it grows back but I did cut it

Ms. Moermond: it was pretty overgrown

VIDEO - the voice said, "This is a Work Order for 1337 Arkwright Street" for TGW; it's all over 8 inches - has to be cut

Ms. Moermond: where did the mail go to?

*Ms. Seeley: it went to the Occupant; & Jeannine X. Thao, 1602 6th St E (where she lives)
-I believe there's no history; we've gotten complaints but then it's done by owner*

*Ms. Moermond: I'm seeing a lot of tall grass & weeds so, it was that things were overgrown - not controlled
-I'm not sure what to make of the fact that you say you didn't get the Order because staff tells me that they mailed the Order first class & it wasn't returned to the city
-it hadn't been done in a while
-city has had to remind you to cut the grass but when they send the letter, you do take care of it*

Ms. Thao: I bought the lot last year in 2017; I didn't own it in 2016

Ms. Moermond: you have a good history

Public hearing continued to June 5 and if no same or similar violations(s), will reduce from \$322 to \$100.

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

10 [RLH TA 18-658](#)

Deleting the Appealed Special Tax Assessment for property at 59 BATTLE CREEK PLACE. (File No. J1905A, Assessment No. 198504)

Sponsors: Prince

Sirak Abebe, owner, appeared.

Supervisor Paula Seeley:

Cost: \$288

Service Charge: \$162

Total Assessment: \$450

Gold Card Returned by: Sirak Abebe

Type of Order/Fee: Summary Abatement Order

Nuisance: Wood and rubbish along alley

Date of Orders: 7/27/18
 Compliance Date: 8/2/18
 Re-Check Date: 8/3/18
 Date Work Done: 8-7-18
 Work Order #: 18-090905
 Returned Mail?: No
 Comments:
 History of Orders on Property: No

VIDEO - crew removed wood debris & rubbish in rear yard along alley; leave the fence

Mr. Abebe: that was 53 Battle Creek Place, not mine at 59 Battle Creek Place

Ms. Moermond: I'll get an aerial photo of that so I can look at it; we will follow up with you; I'll attach the photo to the record; if it turns out that it's your property, I will say if no same/similar violation(s) by Jun 5, 2019, I will delete this; if it's your property & you do have additional violations, I'll recommend that it's cut in half
 -if it isn't your property, the assessment will be deleted now
 -I will send you whatever documents that we come up with so you can see the same thing that I do
 -don't pay the assessment; only if it's yours; you wouldn't get an invoice until Jun

Forthcoming. If the clean up is on owner's property, will continue to June 5 and if no same or similar violations, will delete. If same or similar violation(s), will reduce from \$450 to \$225. (If clean-up at 53 Battle Creek Pl, will delete the assessment)

FOLLOW-UP12/14/18: I have reviewed the video, Google Maps and the City's Aerial Maps and believe the items removed were on the neighboring property. I will recommend the assessment gets deleted. It was a legitimately confusing situation because there is a shed which lies on both sides of the property line with 67 Battle Creek, so the inspector didn't have a good landmark on the line. -Moermond

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

11 [RLH TA 18-660](#)

Ratifying the Appealed Special Tax Assessment for property at 1232 GALTIER STREET. (File No. J1905A, Assessment No. 198504) (Public hearing continued to June 5, 2019)

Sponsors: Brendmoen

Maria Maier, owner, appeared.

Supervisor Paula Seeley:
 Cost: \$344
 Service Charge: \$162
 Total Assessment: \$506
 Gold Card Returned by: Maria Maier
 Type of Order/Fee: Summary Abatement Order
 Nuisance: Scrap wood and yard debris in rear yard
 Date of Orders: 8/1/18
 Compliance Date: 8/8/18
 Re-Check Date: 8/8/18
 Date Work Done: 8/10/18

Work Order #: 18-029571

Returned Mail?: No

Comments:

History of Orders on Property: 5/2/18 - Vehicle/Abandoned

Ms. Maier: I'm not certain what the Video is going to show because I was not aware that this happened

VIDEO - crew removed scrap wood & debris in backyard near garage

Ms. Moermond: I'm surprised; the Order covers that and not the trees in the driveway but tell me what the Order says

Ms. Seeley: please removed the scrap wood & yard debris from the rear yard & driveway area

Ms. Maier: that was the pile of wood we use for the fire pit out back; I did not realize - did not know what happened to that pile of wood; I did not get this Notice; so, my apologies but that is the house & that was our wood pile

Ms. Moermond: how are you doing with the overgrowth behind the garage & all that?

Ms. Maier: that is taken down; Harold passed away from cancer & we got it all cleaned up; now, we just sent in the Certificate of Occupancy & it's now been rented; we own the house next door & when Harold passed away, we bought this house & we had a lot of work to do

Ms. Moermond: what is the history on her address, 1228 Galtier?

Ms. Seeley: it needs a C of O; owned by James Hoyer
-no; there was a vehicle with expired tabs in Apr - was resolved

Ms. Moermond: I'd like to have the inspector to go by there & confirm that the overgrowth: brush, trees, etc is under control now

Public hearing continued to June 5 and if no same or similar violations(s), will delete.
(Inspector will confirm if the brush and overgrown plants are in compliance.)

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

12 [RLH TA 18-661](#)

Deleting the Appealed Special Tax Assessment for property at 1529 IGLEHART AVENUE. (File No. J1905A, Assessment No. 198504)

Sponsors: Thao

Meredith Quade, owner, appeared.

Supervisor Paula Seeley:

Cost: \$288

Service Charge: \$162

Total Assessment: \$450

Gold Card Returned by: Meredith Quade

Type of Order/Fee: Summary Abatement

Nuisance: Overhanging Vegetation

Date of Orders: 6/29/18
 Compliance Date: 7/13/18
 Re-Check Date: 7/27/18
 Date Work Done: 8/1/18
 Work Order #: 18-088665
 Returned Mail?: No
 Comments:
 History of Orders on Property: 1/28/16 - Garbage (couch in rear yard)

VIDEO - crew removed some branches from tree on the boulevard

Ms. Quade: my husband is the code enforcement officer for the City of South Saint Paul & he is frustrated with me; I didn't realize that was something that I needed to do; I think it was just a timing issue; this past summer, I moved from my property to my husband's; we got married in Aug & my mail was being forwarded & I was out of town for couple weeks for our honeymoon; I didn't get the Notice; I've never had an issue with the property before; I'm hoping for a little bit of a break; I've owned it for 10 years & am working on getting it fixed up; then, I may sell it or rent it; my nephew is working there temporarily

Ms. Moermond: you've got a good history; I'd like to cut you a break & reduce it to \$325
 -history?

Supervisor Lisa Martin: no history

Ms. Moermond: if you rent it, you need to apply for a Fire Certificate of Occupancy Inspection; Mai Vang will give you a form to get started

Delete the assessment. (Updated recommendation since the hearing; tree is on the blvd)

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

13 [RLH TA 18-662](#)

Deleting the Appealed Special Tax Assessment for property at 1579 MARGARET STREET. (File No. J1905A, Assessment No. 198504)

Sponsors: Prince

Trung Hoang, owner, appeared.

Supervisor Paula Seeley:
 Cost: \$404
 Service Charge: \$162
 Total Assessment: \$566
 Gold Card Returned by: Trung Hoang
 Type of Order/Fee: Summary Abatement Order
 Nuisance: Garbage/Rubbish
 Date of Orders: 7/24/18
 Compliance Date: 7/31/18
 Re-Check Date: 8/6/18
 Date Work Done: 8/7/18
 Work Order #: 18-091293
 Returned Mail?: No

Comments:

History of Orders on Property: many

VIDEO - crew removed overflowing garbage cans & trash in backyard/driveway; they left tools, toys & other acceptable items

Ms. Moermond: I saw overflowing containers & a little bit of loose & scattered but I did not see a play pen or household items; I saw a couple of boards but they were not listed in the Order itself

Ms. Seeley: the file was opened Jul 11, 2018 & the inspector wrote: Please make arrangements to remove all loose & scattered garbage from the rear parking area pad; he sent another SA out on Jul 24 that said: Please make arrangements to remove discarded play pen & all other discarded household items from rear yard

Ms. Moermond: did he send a Work Order on the Jul 11 SA?

Ms. Seeley: No

Ms. Moermond: so, he kind of combined.....

Ms. Seeley: she just sent another one - giving him another good faith effort to move the trash; open file right now about garbage; & some history from May 1, 2018 & did a Work Order May 10; the city cleaned it up
-a SA was sent Nov 15, 2018 (bags of garbage/rubbish along garage near alley);
re-check Nov 21

Supervisor Lisa Martin: let's look at the before/after VIDEO for Aug 7; we were looking at the wrong VIDEO from May

VIDEO for Aug 7 - but this one will not open
-there should be photos in the file

Mr. Hoang: the May Video that you just saw, I was questioning that one too

Ms. Moermond: that's not the one we're supposed to be looking at today; they showed it in error; we'll just forget what we saw in Video because it was from 2 months earlier than this cleanup that we're talking about today

Mr. Hoang: but the Aug one - I had a bad tenant before that; it cost me a lot of money to remove her & her stuff; she left Jul 30-31; then I hired a contractor to remove everything to clean up the whole things - about \$8000 for that; so, for some reason, I didn't get the letter for the Aug one; so, I'd really like to see that Aug Video to see what was there

Ms. Seeley: I can show you photos taken Aug 6 on the screen; the Work Order was sent Aug 7

Ms. Moermond: so, did you clean up those things?

Mr. Hoang: yes; these things could have been from Aug 1 when my crew came in & removed everything; the thing is, for some reason, I never got the Notice because from Aug 1 to Aug 21 (about 3 weeks) every day I came to see the house because I was involved in removing & looking after the contractors - making sure they cleaned the

house & removed everything; had I received the letter or anything, I could have had this done by the due date; I'm here today to say that I was working to clean up the house during that time frame & remove all the stuff

Ms. Seeley: we sent 2 sets of Orders & did not get any mail back

Ms. Moermond: did you get the Orders from earlier in Jul?

Mr. Hoang: in Jul? I thought that we were talking about the one in May that I have to pay

Ms. Moermond: staff sent you 2 sets of Orders in Jul (Jul 11 & Jul 24); they checked on Jul 31 & a mess was still there - also on Aug 6

Mr. Hoang: yes, I believe that I received letters in Jul & I took care of that; now, the Aug one - I was working on it

Ms. Moermond: those items were there for almost 2 weeks

-you don't have a good history here

-I want to encourage you to have better behavior in the future; the fact that you have an Open Order on your property as we speak...

Mr. Hoang: I took care of that right away when I saw that

Ms. Moermond: so, why is the city having to send you a letter to take care of your property? Why aren't you doing it ahead of time?

Mr. Hoang: I understand but we have a new tenant.....; I told him already & from now on, there will be no problem at all

Ms. Moermond: I will recommend that Council decrease this by half if you have no same/similar violation(s) in the next 6 months; so, you've got to keep your nose clean; I'll have City Council look at it on Jun 5, 2019

Delete the assessment (updated recommendation since the hearing, based on ambiguous language in order on specific action to be taken by deadline).

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

10:00 a.m. Hearings

- 14 [RLH TA 18-645](#) Ratifying the Appealed Special Tax Assessment for property at 813 BLAIR AVENUE. (File No. J1906A, Assessment No. 198505) (Public hearing continued to June 5, 2019)

Sponsors: Thao

Patrick Hogan, North End Apartments LLC, owner, appeared.

Supervisor Paula Seeley:

Cost: \$298

Service Charge: \$162

Total Assessment: \$460

Gold Card Returned by: Patrick Hogan
Type of Order/Fee: Summary Abatement
Nuisance: Failure to maintain exterior (remove chair, overflowing trash & debris from the alley side of garage)
Date of Orders: 8-3-18
Compliance Date: 8-10-18
Re-Check Date: 8-10-18
Date Work Done: 8-14-18
Work Order #: 18-093544
Returned Mail?: No
Comments:
History of Orders on Property: 3 Complaints in 2016, 4 Complaints in 2017 which include garbage and tall grass.

VIDEO - crew removed chair & tire from alley

Ms. Moermond: looks like the overflowing trash was addressed; the chair is not in the photographs

Mr. Hogan: to clarify, some work was done; I received the letter & I went to the property on Aug 6 & cleaned up the items on the outside of the can; the only items left were the chair & the tire; I didn't have the means to carry those items with me; so, my plan was to contact Waste Mgmt & request that they'd remove the chair & tire; I called Waste Mgmt Aug 6 to request that they take those on the next collection day, which would have been Aug 7 & I was told that they would try to do that but they thought that it was more likely that they could not be removed until the following Wed, which was Aug 15; unfortunately, I did not get ticket # from them when I called; however, I do have my phone record showing that I had a 20 minute phone call with them on that date; so, knowing that it would be past the compliance date of Aug 10, I called Insp Westenhofer on Aug 8 at 8:12 am (have that phone record) & left a voice mail for him informing him that all the items were picked up around the trash except for the chair & tire & that I had coordinated with Waste Mgmt to pick up the items but they informed me that those items would probably not be picked up until Aug 15; I requested that he call me if there were any issues or problems with that; I never heard back from him -you said these items were picked up on Aug 14; on Aug 15, I was on the other side of town so I wasn't able to physically go to see if Waste Mgmt had done it; so, I called them at 11:29 am (have phone record) to see if they could tell me that it had been picked up or would be that day; and they said per my earlier phone call the week before, that they would be picked up by the end of the day on Aug 16; at 1:30 pm, I went to see & the items were still there & seeing that, I called Waste Mgmt back on Aug 17; this time getting a ticket #, (I have the ticket)....

Ms. Moermond: the VIDEO by the Parks crew is dated Aug 14

Mr. Hogan: the point here is that I have made attempts to try to deal with this issue; I may not have done everything properly; I wish I had gotten a ticket # from that first phone call; I do have the phone records; my driving record shows where I was at

Ms. Moermond: how long have you owned the property?

Mr. Hogan: 8 years

Ms. Moermond: so the 3 complaints in 2016 & the 4 in 2017 were under your watch

Mr. Hogan: they were

Ms. Moermond: the city did pick up the chair & the tire; I'm hearing that you called Mr. Westenhofer; the deadline was the 10th; the crew showed up on the 14th, so there's a few extra days in there; you made an effort; if there's no same/similar violation(s) thru Jun 5, I'll recommend that it gets down to \$100

Public hearing continued to June 5 and if no same or similar violations(s), will reduce from \$460 to \$100.

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

- 15** [RLH TA 18-627](#) Ratifying the Appealed Special Tax Assessment for property at 951 CASE AVENUE. (File No. J1906A, Assessment No. 198505)

Sponsors: Bostrom

Approve; no show.

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

- 16** [RLH TA 18-642](#) Ratifying the Appealed Special Tax Assessment for property at 1529 DALE STREET. (File No. J1906A, Assessment No. 198505)

Sponsors: Brendmoen

Approve; no show.

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

- 17** **RLH TA 18-628** Deleting the Appealed Special Tax Assessment for property at 794 EDMUND AVENUE. File No. J1906A, Assessment No. 198505)

Sponsors: Thao

Anthony J. Fernandez, owner, appeared.

Supervisor Paula Seeley:

Cost: \$298

Service Charge: \$160

Total Assessment: \$460

Gold Card Returned by: 460

Type of Order/Fee: Summary Abatement

Nuisance: Failure to Maintain Exterior Property (Please remove tire & trash from ground by alley)

Date of Orders: 8-21-18

Re-Check Date: 8-28-18

Date Work Done: 8-30-18

Work Order #: 18-089913

Returned Mail?: No

Comments:

History of Orders on Property: No

VIDEO - crew removed tire/trash on ground near alley

Ms. Moermond: is that garage 794 Edmund?

Mr. Fernandez: No; it's not

-I do take this stuff very seriously; I did not receive a letter; my home address is also my business address so, I monitor my mail very closely; if I would have gotten a letter I would have gone over there & picked up all that trash; me & my neighbor get along; it would have been a non issue

Ms. Moermond: It' looks like it was 792 or 790

Delete the assessment.

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

- 18 [RLH TA 18-639](#) Ratifying the Appealed Special Tax Assessment for property at 638 FULLER AVENUE. (File No. J1906A, Assessment No. 198505)

Sponsors: Thao

Approve; no show.

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

- 19 [RLH TA 18-633](#) Ratifying the Appealed Special Tax Assessment for property at 838 JENKS AVENUE. (File No. J1906A, Assessment No. 198505)
(Continue public hearing to June 5, 2019)

Marian Layer, owner, appeared.

Supervisor Paula Seeley:

Cost: \$298

Service Charge: \$162

Total Assessment: \$460

Gold Card Returned by: MARIAN LAYER

Type of Order/Fee: SUMMARY ABATEMENT

Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY (specifically remove mattress leaning on fence near alley located next to rear yard)

Date of Orders: 8-21-18

Compliance Date: 8-28-18

Re-Check Date: 8-28-18

Date Work Done: 8-29-18

Work Order #: 18-098934

Returned Mail?: NO

Comments:

History of Orders on Property: NO

VIDEO - crew removed mattress leaning on fence near alley

Ms. Layer: it's a rental property; it's not our mattress; we didn't put it out there; it was dumped; obviously, I didn't check the alley otherwise, I would have removed it; we've had other stuff thrown behind the garage like tires & stuff

Ms. Moermond: I noticed that it's pretty overgrown back there; when a space looks

neglected like that, it looks like an easy target for people who are dumping things

Ms. Layer: I don't live there; my daughter, Doreen Krenik, passed away; my grandkids are living there right now; I live across the street

*Ms. Moermond: there's no history on this property; I think it was illegal dumping -it looks like there is not a current Certificate of Occupancy on the house, so you need to take care of that
-if you'd want to appeal the fact that you have to go into the Fire C of O Program, I would entertain that*

Public hearing continued to June 5 and if no same or similar violations(s), will delete. If same or similar violation(s), will reduce from \$460 to \$100.

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

20 [RLH TA 18-635](#)

Deleting the Appealed Special Tax Assessment for property at 723 JESSAMINE AVENUE EAST. (File No. J1906A, Assessment No. 198505)

Sponsors: Bostrom

Timothy Jensen, Jensen Real Estate Solutions Inc, owner, appeared.

Supervisor Paula Seeley:

Cost: \$326

Service Charge: \$162

Total Assessment: \$488

Gold Card Returned by: 723 JESSAMINE AVENUE EAST

Type of Order/Fee: SUMMARY ABATEMENT

Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY (please make arrangements to remove mattress, head board, mirror, dresser & other household items from rear yard)

Date of Orders: 8-8-18

Compliance Date: 8-15-18

Re-Check Date: 8-21-18

Date Work Done: 8-22-18

Work Order #: 18-096507

Returned Mail?: NO

Comments:

History of Orders on Property: 8-8-18 ORDERS ON RUBBISH AND WORK ORDER SENT ON THIS AS WELL

Ms. Moermond: I'm going to recommend the Council delete this assessment; I think the wording is vague

-"please make arrangements" doesn't say that you have to remove it by a particular day

Ms. Seeley: we have Orders pending right now; there's a SA on a lot of stuff in the back before you get to the alley & there's a black car with missing parts & no front plates that looks inoperable; this was yesterday

Ms. Moermond: Ms. Vang will print out the Orders for you

Ms. Seeley: I didn't write up the Vehicle Order yet

Mr. Jensen: last week we noticed that people were starting to dump on that property, so my wife called the city & they said that they'd send someone out to see if it was public dumping or our dumping; I don't know if that's a part of that or not; I don't know how to keep people from dumping on my property over there

Ms. Seeley: I wrote up an Order on rubbish, etc; it was not near the alley so I had to write it up

Ms. Moermond: Ms. Vang will print it out; the owner would be responsible for it

*Mr. Jensen: they do have a lot of trash across the alley
-looking at the picture on the Order: there's more there now; there's a couple microwaves sitting on top of that & a work out bench - right in the alley
-there's a small container out there*

Ms. Seeley: you can call for a manager's tow at 651/291-1111

Ms. Moermond: call your waste hauler; you can get 1 bulky item per year for a single family home

—
Delete the assessment.

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

- 21** [RLH TA 18-631](#) Ratifying the Appealed Special Tax Assessment for property at 1296 LAFOND AVENUE. (File No. J1906A, Assessment No. 198505)

Sponsors: Jalali Nelson

Approve; no show.

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

- 22** [RLH TA 18-652](#) Ratifying the Appealed Special Tax Assessment for property at 698 MINNEHAHA AVENUE WEST. (File No. J1906A, Assessment No. 198505) (Public hearing continued to June 5, 2019)

Sponsors: Thao

No one appeared.

Cost: \$160

Service Charge: \$162

Total Assessment: \$322

Gold Card Returned by: Ronald Petit

Type of Order/Fee: Summary Abatement Order

Nuisance: TGW

Date of Orders: 8/8/18

Compliance Date: 8/12/18

Re-Check Date: 8/16/18

Date Work Done: 8/16/18

Work Order #: 18-094783

Returned Mail?: No

Comments: APPELLANT CANNOT ATTEND HEARING DUE TO MEDICAL APPT,
SENT IN LETTER FOR HIS APPEAL

History of Orders on Property: None

Ms. Moermond: Mr. Petit, the Owner/Appellant says, "About the time the grass was cut next to my garage, my left leg was amputated so I just didn't think about the grass. I am the one that did the upkeep before my health issue."

VIDEO - crew cut down tall grass/weeds near alleyway on property

Ms. Moermond: it was overgrown - a fair bit of work; he does have health problems & probably needs some assistance; maybe House Calls would be useful for him; no history

Public hearing continued to June 5 and if no same or similar violations(s), will reduce from \$322 to \$161 and payable in 2 years.

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

23 [RLH TA 18-634](#)

Ratifying the Appealed Special Tax Assessment for property at 910 MINNEHAHA AVENUE EAST. (File No. J1906A, Assessment No. 198505) (Continue public hearing to June 5, 2019)

Sponsors: Prince

Yangjun Xing, owner, appeared.

Supervisor Paula Seeley:

Cost: \$288

Service Charge: \$162

Total Assessment: \$450

Gold Card Returned by: Yangjun Xing

Type of Order/Fee: Summary Abatement

Nuisance: Failure to Maintain Exterior Property (remove overflowing garbage containers, sofa, mattress & garbage from the ground in rear yard)

Date of Orders: 8-15-18

Re-Check Date: 8-21-18

Date Work Done: 8-23-18

Work Order #: 18-096419

Returned Mail? No

Comments:

History of Orders on Property: 11-2-18 SA on Garbage in Recycling Bins

VIDEO - crew removed overflowing containers & scattered trash, etc, on the ground in rear yard (duplex)

Ms. Moermond: it looks like you guys took care of the sofa & mattress

Mr. Xing: at the time, we removed everything as well as the garbage but then a few days later, there was more

-tenants say that most of the stuff on the Order is not theirs; stuff is blowing from the other side of the street/alley

-I bought tenant a new mower & also a trimmer that day to clean up the lawn

-one day there were 10 bags of trash there; tenants say that most was not theirs; the property has a history of people dumping
-I received another Order a few days ago

Ms. Moermond: do they use the garage for a car?

Mr. Xing: one garage is used; & the other garage is used to move the trash into
-now, we have 2 trash cans; previously, we had only 1

Ms. Moermond: I noticed that there is trash in the recycling container & they will never pick that up; & the garbage people won't touch the recycling containers
-I do think that you made a good faith effort to address this situation

Mr. Xing: OK

Ms. Seeley: there's another one coming - overflowing garbage; it's not illegal dumping

Ms. Moermond:

Public hearing continued to June 5 and if no same or similar violations(s), will reduce from \$450 to \$225.

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

- 24** [RLH TA 18-596](#) Ratifying the Appealed Special Tax Assessment for property at 747 NEBRASKA AVENUE EAST. (File No. J1904A, Assessment No. 198503)

Sponsors: Bostrom

Approve; no show.

Referred to the City Council due back on 1/16/2019

- 25** [RLH TA 18-654](#) Ratifying the Appealed Special Tax Assessment for property at 1049 PLEASANT AVENUE. (File No. J1906A, Assessment No. 198505)

Sponsors: Noecker

Approve; no show.

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

- 26** **RLH TA 18-632** Ratifying the Appealed Special Tax Assessment for property at 700 SAINT ALBANS STREET NORTH. (File No. J1906A, Assessment No. 198505) (Continue public hearing to June 4, 2019)

Sponsors: Thao

Roxanne A. Packard:

Supervisor Paula Seeley:

Cost: \$288

Service Charge: \$162

Total Assessment: \$450
 Gold Card Returned by: Roxanne Packard
 Type of Order/Fee: Summary Abatement
 Nuisance: Failure to Maintain Exterior Property (Cut back & remove overgrown brush from sidewalk on St. Albans St & Van Buren Ave)
 Date of Orders: 8-7-18
 Compliance Date: 8-14-18
 Re-Check Date: 8-14-18
 Date Work Done: 8-16-18
 Work Order #: 18-094575
 Returned Mail?: No
 Comments:
 History of Orders on Property: No

VIDEO - crew removed all brush from St. Albans St N & Van Buren Ave

Ms. Packard: I love my bushes; I did some of that but I didn't have time to get to all of it in 6 days; I had a heart attack in May; the day that he did that, I went out that evening with clippers in my hand; & it was already done; it was all overgrown because of the heart attack I had in May; I've been just miserable....May, Jun, Jul & Aug; I couldn't get out there to do it; I haven't been the same since; I did the best that I could do in 6 days

-I love my yard & I love working in my yard

-I've done a lot of work since that picture; I can show you on my phone

Ms. Moermond: you don't have a history; I'll give you credit for a good faith effort; in the future, you have the ability to appeal that Order to ask for additional time

Public hearing continued to June 5 and if no same or similar violations(s), will reduce from \$450 to \$100.

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

- 27 **RLH TA 18-641** Deleting the Appealed Special Tax Assessment for property at 1142 SELBY AVENUE. (File No. J1906A, Assessment No. 198505)

Sponsors: Thao

Jason Copon, owner, appeared.

Supervisor Paula Seeley:
 Cost: \$80
 Service Charge: \$162
 Total Assessment: \$242
 Gold Card Returned by Jason Copon
 Type of Order/Fee: TGW Order
 Nuisance: Failure To Cut Grass
 Date of Orders: 8-14-18
 Compliance Date: 8-18-18
 Re-Check Date: 8-21-18
 Date Work Done: 8-23-18
 Work Order #: 18-096525
 Returned Mail? No
 Comments:

History of Orders on Property: No

Ms. Moermond: Photos show really long grass that's fallen over onto itself

VIDEO - crew cut grass & the scattered plant growth throughout the yard; touched up the blvd & the hill; we cleaned up the backyard

-property owner had done some of the work on the front

Mr. Copon: the grass in front, I combed/brushed it down; I did a lot of work on the driveway & alongside my house

-I didn't see anything in the letter about cleaning up stuff inside my backyard

Ms. Moermond: this is new; I never heard anyone say that they got the grass down to 8 inches by combing it down

Ms. Seeley: I've seen that for oriental grass in rock beds / landscaping

Ms. Moermond: but this is regular grass

Mr. Copon: in that area, the grass grows horizontally

Ms. Moermond: for future reference, you'll have to mow it

Delete the assessment.

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

- 28** [RLH TA 18-637](#) Ratifying the Appealed Special Tax Assessment for property at 753 SIMS AVENUE. (File No. J1906A, Assessment No. 198505) (Public hearing continued to July 10, 2019)

Sponsors: Bostrom

Layover to Dec 4. Owner will send in letter for appeal.

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

- 29** **RLH TA 18-646** Ratifying the Appealed Special Tax Assessment for property at 806 VAN BUREN AVENUE. (File No. J1906A, Assessment No. 198505) (Continue public hearing to June 5, 2019)

Sponsors: Thao

Mai Moua, owner, appeared. Mai Vang interpreted.

Supervisor Paula Seeley:

Cost: \$288

Service Charge: \$162

Total Assessment: \$450

Gold Card Returned by: Mai Moua

Type of Order/Fee: Summary Abatement

Nuisance: Failure to maintain exterior (Remove wood pieces, cooler & other debris from alley side of the fence)

Date of Orders: 8-3-18

Compliance Date: 8-10-18
 Re-Check Date: 8-10-18
 Date Work Done: 8-14-18
 Work Order #: 18-093545
 Returned Mail?: No
 Comments: language barrier
 History of Orders on Property: No

VIDEO - crew removed wood pieces, cement blocks, debris from alley side of fence

Ms. Moua: I just bought a new car; I was cleaning out the garage to put the car into it; the ex-husband wanted to keep some of the stuff so, he told them to put it in the area outside

Ms. Moermond: I'm seeing no history here
 -based on the fact that there's no history & there's a language barrier in reading the Order; I will recommend that Council cuts this assessment in half & continues the matter to Jun 5, 2019 & if there's no same/similar violation(s), I will delete the assessment completely

Reduce from \$450 to \$225; public hearing continued to June 5 and if no same or similar violations(s), will delete.

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

Special Tax Assessments - ROLLS

- 30 RLH AR** Ratifying the assessments for Property Clean Up services during August
18-100 1 to 14, 2018. (File No. J1905A, Assessment No. 198504)

Sponsors: Brendmoen

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

- 31 RLH AR** Ratifying the assessments for Property Clean Up services during August
18-101 14 to 30, 2018. (File No. J1906A, Assessment No. 198505)

Sponsors: Brendmoen

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

11:00 a.m. Hearings

Summary Abatement and Correction Orders

- 32 [RLH CO 18-44](#)** Appeal of Troy Allison to a Correction Notice at 1042 CHARLES AVENUE.

Sponsors: Thao

Troy Allison appeared.

Supervisor Lisa Martin: Correction Notice was issued Nov 9, 2018 to Cheryl L. Allison Trustee at 1042 Charles Ave, specifically regarding vehicle parked in the curb cut area; photos (shows car parked sideways on curb cut area); compliance Nov 19, 2018

Ms. Moermond: so - where it was parked & a flat tire on the vehicle

Mr. Allison: I fixed the tire right away; it had a slow leak but as far as the parking, we've been in this house 43 years & we've never had an issue up until a few times recently; we park in the driveway, especially during snow emergencies; we keep cars off the street so that our mirrors don't get busted or side-swiped but starting in May 2015, we had somebody start complaining about the property; I have a trailer in front of the garage & if we have the wheels on it, somebody tries to steal it so, we take the wheels off & set the trailer on blocks; apparently, it becomes an issue for this individual; we're in compliance; I've talked with several inspectors, who have come out there & they delete it - they tell me that I'm in compliance; in 2016, I had no issues; in 2017, they came back; you can see Sean Westenhofer & I've had several conversations since then; in his report at the end of his inspections, everything is in compliance; this last one here - for whatever reason, when I called Sean, he said that he didn't have an issue; he wasn't going to write a citation / Correction Notice - that it came from Travis (the #2 guy); so, I called Travis, who said that there seemed to be an issue; it came directly to him & he wanted it addressed; OK; let's figure out what the problem is; we've not had a problem in 43 years & I thought everything was hunky-dory - good to go; I left Travis a follow up voice mail; he did not return my call nor did Sean; and then, I received this letter; the initial complaint on Nov 9 was closed out but it was re-opened on Nov 15

-I'd like this to go away; we need to figure out what's going on

-it's a corner property & we take care of it but whoever the complainant is, we need to figure out why we have this repeating letter being sent out every few months

-I'm asking for this to be deleted & corrected

Ms. Moermond: any additional information, Ms. Martin?

Ms. Martin: No, but usually throughout the City of Saint Paul, parking sideways is not allowed near an alley or a curb cut area under Section 157.03; it's considered the Right of Way

-I imagine that somebody else had gotten a complaint or were told that they couldn't park there--- often times, those people will go around their neighborhood & start calling in everybody else who's doing it; a lot of times, we'll close out a complaint as it looks like Sean has done in the past or if we're getting more complaints about the same thing & they go to the Director or Deputy Director asking why enforcement is not consistent across the city.....

Ms. Moermond: is there any consideration for "when" or "how long" it's parked there or is it just a "yes" / "no" thing?

Ms. Martin: it doesn't matter; you should not be parked there at any time

Mr. Allison: this is not a public right of way

Ms. Moermond: actually, it is; anything from the sidewalk to the street is considered a public right of way

Mr. Allison: in my opinion, it's considered a private right of way because the public can't use that access for anything at all

Ms. Moermond: the public can walk on your driveway apron & on your sidewalk & so it is public right of way

- it is your driveway apron & it is there with permission & agreement with the city; it's not all that different from the power lines that run across the back of your yard

Mr. Allison: the Correction Notice says: Sec. 157.03. (2) In front of or within five (5) feet of the throat of any public or private driveway or alley, in such a manner as to block such driveway or alley.

-but up on that concrete area, should not be an issue & that doesn't address directly within that __ so & you're going to have to go to every corner house & even if you'd just stay on Oxford, on my street & went up the street, I'm going to say that 95% of the people park there & they are not addressed

Ms. Moermond: how deep is your driveway between the sidewalk & the garage?

*Mr. Allison: I have a 4-car garage & there's about 10 feet between the garage & the sidewalk & about 12 feet between the sidewalk & the street with a 40 foot length; when we have snow emergencies, we'll park 4 cars in there just to get them off the street, especially when they go east-west, everyone & their brother comes down our street & parks there & we can't park there-we have to park 3 blocks away
-inspectors have said we were in compliance*

Ms. Moermond: well, actually, no because it is a city right of way; you have been able to do that for many years; however, if it's just for snow emergencies, I don't know that anybody's going to call it in or be a jerk about it but for everyday parking, it is parking in the public right of way

Ms. Martin: in Sec. 157.03, there's actually 23 different parts so, obviously, he didn't list every single one but #(3) states: "on a portion of a private road or driveway line between the public right of way line & the curb line of the adjacent street or if no curb, of the edge of the pavement.... "

Ms. Moermond: wondering how an exception could be carved out for your circumstance...? the only thing I can think of is a Right-of-Way Encroachment permit; it's a Public Works application; I'm not sure that they would even agree to accept an application but you could find out; I'd be happy to put in a call to start the conversation; right now, it's in the right of way; let's see if there's a solution; I'll call PW between now & when this comes before Council on Dec 12, 2018 at 3:30 pm; I will get that info to you

Mr. Allison: was this Correction Notice sent to any other address? in particular 1043 Charles

*Ms. Moermond: inspectors may, depending upon their time
-Ms. Martin, you want to talk to Insp Westenhofer about that?*

Ms. Martin: OK; again, we are a complaint based system; so, if you see any that are similar to this, you can give us a call - 266-8989; we'd be happy to go out on any complaint

Ms. Moermond: would you ask Mr. Westenhofer to send me an email about whether he wrote out similar Orders on other properties in the area when he was out there? we can attach that email to the record then

Ms. Martin: Sure

Forthcoming.

FOLLOW-UP: Inspector Westenhofer communicated to Legislative Hearing staff that he wrote up 1043 Charles for the same issue on 11/29/18. Also, spoke to Don Stein, PW Right-of-Way Supervisor, who indicates Right-of-Way puse permits are not issued for parking purposes. -MM

Recommend denial of appeal. -MM

Referred to the City Council due back on 12/12/2018

33 [RLH SAO 18-76](#) Appeal of Elsie Mayard to a Vehicle Abatement Order and Summary Abatement Order at 755 MINNEHAHA AVENUE WEST.

Sponsors: Brendmoen

Elsie Mayard, owner, appeared.

*Supervisor Lisa Martin: Vehicle Abatement Order issued Nov 9, 2018 for a white Ford Van with a missing plate appears inoperable parked on an unapproved surface; compliance date Nov 19, 2018; photos
-a Summary Abatement Order was also issued on Nov 9, 2018 for discarded wood material from backyard up against fence; compliance date Nov 16, 2018*

Ms. Moermond: what are we talking about today? vehicle or wood?

(Ms. Mayard dialect is difficult to understand.)

*Ms. Mayard: I appealed because I want the city to stop harassing me because I have on my phone - when they came to my property, they said, "You can't use your garage because we need the front of the garage to put the trash cans;" so they put trash can in front of my garage but that's my garage door way; I can't get my car in there -I have a fence around my house; no one can come into my house without going thru my gate; & I have a lock on my gate so, because there was a little snow, I drove the car inside my gate because of the little snow that was coming down (a short time) because they blocked my garage door; then, I got a letter that said "you got this & you got this;" this is not a public area where my car was parked; it's private property locked down with a gate; now, for them to block my garage door, which I had to take those trash cans, put them back to the ___ center so I can drove my car inside my garage, which is what I did in my case
-the 2nd one, I went to Menard's & got some stuff there because I got some work that I gotta be doin (2 x 4s); there was some bushes inside my yard, so, I put everything there for me to use; all of a sudden it was all kind of garbage; I don't know that the wood is trash if you put it to use (that was the stuff I put in there for me to use); so, I think there needs to be a stop because they always come up with one thing or another; I know what happened before when they tried to go with Xcel - collaborate with Xcel - tried to sue me; that stopped completely because the federal government was not going to let them do this to me; now, they come back to me telling me, "You can't use your garage or you can't put in front of your gate; it's a violation of city code;"
-it's private property; nobody gets inside my gate; why is it a violation if I feel like my*

vehicle should be inside my gate because of the snow going on? there's no damage on the vehicle or nothing; it was parked there only for a short time

Ms. Moermond: when I look at the picture, there was snow on the ground

Ms. Mayard: I moved the trash cans & put my car inside my garage; now, I have no place for my trash cans; the wood was for me to use; now, it's gone

Ms. Moermond: looks like for now, we're resolved; the wood is moved; the vehicle is in the garage

-I will ask staff to drive by today or tomorrow

Inspector will confirm whether the van is moved and trash is gone, and if so, appeal is granted.

On Nov. 21, inspector confirmed issues have been abated.

Referred to the City Council due back on 12/12/2018

Making Finding Orders

- 34 [RLH SAO 18-71](#) Making finding on the appealed nuisance abatement ordered for 1352 SEVENTH STREET WEST in Council File RLH SAO 18-69.

Sponsors: Noecker

Layover to December 4. (No one appeared.)

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

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 35 [RLH FCO 18-192](#) Appeal of Ronald Miller to a Correction Notice - Complaint Inspection at 670 DESOTO STREET.

Sponsors: Brendmoen

Ronald I. Miller, Caron Inc, owner, appeared.

Mr. Miller entered a cover letter & copies of 4 letters to the tenant; I'm trying to get her out

Fire Supervisor A.J. Neis: Fire Certificate of Occupancy Correction Notice regarding a complaint inspection by Fire Insp Geo Niemeyer, who received a complaint on Nov 1, 2018 re: that Unit 2 was over-occupied & the back living room window was falling out of its frame; only 1 fire exit; half the windows don't open; drain in basement was backing up; electrical concerns & other items upon inspection; Insp Niemeyer responded on Nov 5 & identified 16 code violations within the property of which he issued Orders to be corrected by a re-inspection date of Dec 5, 2018 at 11:30 am

Mr. Miller: what do I do about #4 - evidence of burning incense in the bedroom (wall behind the door)?

Ms. Moermond: suggested he provide his tenant with the code violations list; it's probably a lease violation

Mr. Miller: I already gave her (Unit #1 tenant) notice to vacate the property; I finally got the sheriff & she got the sheriff; she goes screaming up & down the halls saying, "I'm going to get this place condemned..... " I just want to get her out so that I can get these things repaired; she turned the heat off because she has control of it; she owes me a substantial amount of money; I've been asking her to pay or move out because I can't support her; I can't approach her; obviously, she has not done so, I just got a text from the upstairs tenant that all the electricity is off, which means that tenant #1 pulled out fuses for the whole bldg; I just have to get her out before she destroys everything in the house; I've had 2 inspections in the last 2 years; some things were called but nothing serious & I took care of them

Ms. Moermond: where are you at in the eviction process?

Mr. Miller: the sheriff served her; I have a court next Tue downstairs but I'd like to get her out before that

Ms. Moermond: does the other tenant have the ability to get to the fuse box for her own unit?

Mr. Miller: the fuse box is in the basement & the tenant in Unit #2 has to access Unit #1 to get to the fuse box but tenant #1 won't allow her to do so; they are angry with one another; the only access to the basement is thru Unit #1

Ms. Moermond: I don't think that was called out

Mr. Neis: it's item #14 - provide a dead front for fuse panel & #13 - missing fuse in panel

Mr. Miller: I've owned the bldg for 7 years & I've spent a lot of money on the bldg; it's not a bad bldg but I had a bad tenant before this one; I, personally, have been over there changing the fuses because she wasn't changing them

Mr. Neis: each tenant must have ready access to the electrical box or an agreement has to be made for them to have ready access

Mr. Miller: what's wrong with the water heater?

Ms. Moermond: from photo - looks like it's got a leak; the floor underneath & around it is wet

*Mr. Neis: it looks as though the bottom pan underneath is corroded & has a slow leak, which means that it will fail soon
-we don't expect you to do the exterior fixes (stucco/painting) until spring*

Mr. Miller: it seems like every month the front door gets kicked-in; no one seems to know how that happens

Moermond: I didn't see an Order on that; OK, I see a photo on it

-I'm seeing things in the photos that are tenant caused but also seeing things that are just maintenance issues like a crack in the plaster
-is there an effective date on the eviction?

Mr. Miller: it was Oct 31, 2018 but she didn't do anything so I requested a hearing; I was looking for her to be out yesterday

Ms. Moermond: the inspector originally gave to Dec 5, 2018
-let's see how this eviction hearing goes next Tue & figure out a good deadline after that

Mr. Miller: is there anything you can do to make her go sooner?

Ms. Moermond: no; it's up to the court system
-let's talk again on Dec 4, 2018 to make a decision on a deadline for the repairs, perhaps Jan 1, 2019

Forthcoming. (Fire Certificate of Occupancy inspection prior to December 4)

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

36 [RLH FCO](#)
[18-194](#)

Appeal of David Kvasnik, on behalf of DPH Properties II, LLC, to a Correction Notice - Complaint Inspection at 2165 SELBY AVENUE.

Sponsors: Jalali Nelson

David Kvasnik appeared o/b/o DPH Properties II, LLC, owner.
Rachel Westermeyer, 1935 Summit Avenue, also appeared.

Fire Supervisor A.J. Neis: Fire Certificate of Occupancy Correction Notice issued by me; I received an anonymous complaint about the bldg being over-occupied; I investigated on Nov 5, 2018 & found that there were 6 St. Thomas students admittedly living in the home; they identified themselves as part of the basketball team; their names were provided; I asked them if they knew about the requirement of having fewer than 4 unrelated adults living in the home; they indicated that they were aware of the rules but that the owner was OK with them living there because there had been 6 people living there prior to them; they believed that the owner had another house on Laurel Ave; they did not know/provide that address; I met with Peter Kvasnik at the property doing maintenance; had advised that David (owner) was perhaps at 2190 Marshall Ave; I was able to speak with David via telephone; he did confirm that this home was over-occupied & I issued Orders to reduce the number of occupants to 4 unrelated adults by Dec 3, 2018; St. Paul Legislative Code, Chapter 67 indicates that we have the authority to remove the student(s) for over-occupancy (registered student housing requirement); I advised the owner/tenants to appeal if they felt that it was an unreasonable Order

-this is a Board of Zoning Appeals issue

Ms. Moermond: I can deal with the deadlines on this but I cannot grant a variance of the Zoning Code or deal with the Revocation of Student Housing; you will need to appeal to the Bd of Zoning Appeals for that
-we can talk about deadlines for sorting this out

Mr. Kvasnik: so, if it had been an Order specific to a hazard in the bldg or something like that, you could handle that but since it's an Order on the Ordinance having to do

with the student housing certificate.....

Ms. Moermond: because that's in the Zoning Code

Mr. Neis: at this point, they can no longer reduce occupancy to 4; 4 is allowed if they have the Student Rental License; now, that the Student Housing has been Revoked, they can no longer rent to more than 2 under graduate students

Mr. Kvasnik: first of all, I did not confirm to you, Mr. Neis, that I knew that there were 6 students in the house

Mr. Neis: OK

Mr. Kvasnik: and, the house is owned by me & my brothers (DPH Investments LLC); I have a signed lease with the 4 individuals

-he read his letter of appeal (attached) noting numerous inspections with no over-occupancy Orders & that when Insp Neis came to their Marshall Ave Office & asked them if they were aware that 2165 Selby Ave was over-occupied, David Kvasnik told Insp Neis that he was not aware that it was over-occupied & that he had not even been in the home since the tenants had moved in; he repeatedly told Insp Neis that he had no knowledge of any over-occupancy at the home by any squatters or ___ not listed on the 4-person lease

-David Kvasnik immediately called the tenants in the home, who confirmed that they did have 2 additional residents living in the home; David Kvasnik was not aware of these tenants & does not know their names & has never been paid by them & never allowed them to live there; David Kvasnik told the tenants to remove the 2 additional residents that evening; the tenant told Mr. Kvasnik that Insp Neis had told them that all 6 could remain in the property until a final decision was made in regards to an anticipated Correction Order; David Kvasnik spoke with Insp Neis 2 days later & verified that this was true & the residents could stay until a resolution was made -the language of Ordinance Section 67.708 says "The Departments of Safety and Inspections MAY remove properties from the list of registered and established student dwellings." The use of the word "May" is purposeful and for a reason. The word used is not "will." "May" suggests that there must be some subjectivity and due process in issues regarding revocation of status. DPH Investments argues that the word "May" was added for moments exactly like the one we are confronting here. Removing the student rental certificate from 2165 Selby Ave would be a miscarriage of justice and an affront to due process. DPH Investments LLC should not be unfairly punished for the unknown and illegal actions of people they have never met, never contracted with and never received money from. We cannot start to punish people who are not guilty of or complicit in doing anything wrong.

-a couple of people asked me, "How come you didn't check - go in the house & look to see if there are people there?" I spoke to my lawyer about that & he specifically said that bed checks are illegal without a complaint or a cause to enter & that looking for illegalities will lead you to a law suit; specifically, he said that the women who live at the house are 19 & 20 years old and you, walking in on a monthly basis & opening their bedroom doors to see who's there & who's not there will be easily turned into a lawsuit

-entered the original lease with the names of the 4 individuals who signed it -point 2 of the addendum of the lease (attached) states specifically the actual language of the City of St. Paul Ordinance prohibiting them from doing that which they signed at the bottom

-#3 - I stated that they pay rent with 1 check; I do that to specifically stop people from doing exactly what they were doing

Ms. Moermond: I don't know if I'd buy that argument

Mr. Neis: typically, landlords say they want 1 check to cover themselves.... to cover up the extra people living there

Mr. Kvasnik: there's a serious lack of due process in the whole way that this moves

Ms. Moermond: due process is what you're experiencing right now - the ability to come in & present your information & have the decision reviewed & perhaps, reversed; that is what due process is

-for this portion I can deal with deadlines; the Bd of Zoning Appeals is another venue to provide you due process of law to reverse the Revocation of your student housing status

Mr. Kvasnik: I would simply argue that, much like you, I get a Correction Order & resolve it by, in this case, Dec 3, 2018; in this case, that it not how it works; here you have to have the people out by that time but there is no resolving the loss of your Certificate

Ms. Moermond: it says right on that letter that it is an appealable decision to the Bd of Zoning Appeals, which is due process of law; you have some place to go to appeal the administration's decision; we can talk about the Dec 3 deadline

Mr. Neis: I don't believe that the dispute is Dec 3; in fact, Mr. Kvasnik wanted them out even sooner; I advised the tenants that they have rights but the students haven't appealed; they are not here

Mr. Kvasnik: the residents have asked me to keep them updated as to what's happening; I will do that after I leave here

Ms. Moermond: if for some reason I were able to handle the Revocation of the student housing status, he'd be down to 2 people by Dec 3, not 4 people, which would be profoundly concerning

Mr. Neis: that is correct

-around Dec 17, there are finals going on; I don't want them to be adversely affected with their studies

-it's a 7-bedroom home & there are no violations making the home unsafe

-this is strictly a zoning issue

Mr. Kvasnik: we're not talking about the zoning of the house; it'll have a Certificate regardless, correct?

Mr. Neis: there will still be an occupancy; the Bd of Zoning Appeals is a student housing registration, which is a zoning issue, which is a special designation for the house in that district

Mr. Kvasnik: I'm unclear as to why the Order written by the fire inspector is not resolvable here & that we can't say something like..... if I removed the 2 people on Dec 3, which we are doing, that will be considered a Correction just like say, the windows

Ms. Moermond: the violation was written under the Zoning Code; it wasn't written under Property Maintenance; it wasn't written under Fire; it wasn't written under Bldg..... for

that reason the Resolution of that Order has to be through the Zoning procedure

Mr. Neis: it actually says that in the Order

*Ms. Westermeyer: I'm on the West Summit Neighborhood Advisory Committee & I took part in the seeing that this Overlay District was put into place
-I'm always concerned with houses that are over-occupied; I said that I would attend to see what unfolded today
-I agree with Mr. Kvasnik; I am also a landlord so I know the rules - you just can't walk in & start bed checking, etc, especially, a male & female house.....*

*Ms. Moermond: I don't think that there's any question of that; I think that ... there is some responsibility to periodically check the property & to know who's living there
-enforcement is stayed while this is going on
-if you file an appeal with the Bd of Zoning Appeals by Dec 1, 2018, I'd go out to Feb 1, 2019 for enforcement of their decision; they can change it
-we'll send our information on to YaYa Diatta
-I'll also put this in the form of a Resolution that will go to City Council; the Bd of Zoning Appeals will not bring in the deadline earlier than the Council has already established*

Enforcement is stayed until February 1, 2019 if appellant files an appeal with the Board of Zoning Appeals by December 1, 2018.

Referred to the City Council due back on 12/19/2018

2:30 p.m. Hearings

Vacant Building Registrations

- 37** [RLH VBR 18-85](#) Appeal of Jay Mitchell to a Vacant Building Registration Notice, Revocation of Fire Certificate of Occupancy and Order to Vacate and a Summary Abatement Order at 1130 BUSH AVENUE.

Sponsors: Prince

Layover to get plumbing permit finalized.

Laid Over to the Legislative Hearings due back on 11/27/2018

- 38** [RLH VBR 18-52](#) Appeal of Nancy Eserkahn to a Vacant Building Registration Renewal Notice at 1034 CHATSWORTH STREET NORTH.

Sponsors: Brendmoen

No one appeared.

Ms. Moermond: permits?

*Supervisor Matt Dornfeld, Vacant Buildings:
-building, warm air & electrical permits are still open
-it's a Cat 1 VB*

Ms. Moermond:

-let's let this VB fee go to assessments & you can talk to the owner about prorating if she gets done; went into VB in Aug 2018 - we're 3 months in; so the 90-day waiver has come & gone now; we'll send it to assessments & we can talk to her in a couple of months about where she's at with the permits; you want to send her a letter on that -

Deny the appeal and let the VB fee go to assessment; will allow permit(s) be pulled.

Referred to the City Council due back on 12/12/2018

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

Sponsors: Bostrom

No one appeared.

Supervisor Matt Dornfeld, Vacant Buildings:

-there's a code compliance inspection report on file

-permits are pulled

-90-day VB fee waiver that you granted on Aug 21, 2018 is expiring

Ms. Moermond:

-OK; let's send her a letter saying that this will be processed as an assessment & she can come to the City Council Public Hearing to discuss it on Dec 12, 2018 & when it comes forward as an assessment, that also is appealable

Mr. Dornfeld:

-will put a note in the system to allow them to continue to pull permits

Deny the appeal and let the VB fee go into assessment; allow permit(s) to be pulled.

Referred to the City Council due back on 12/12/2018

40 [RLH VBR 18-90](#) Appeal of Dustin Nguyen to a Registered Vacant Building Requiring a Code Compliance Inspection and Summary Abatement Order at 1128 BEECH STREET.

Sponsors: Prince

Dustin Nguyen, owner, appeared.

Fire Supervisor A.J. Neis: there a lot of files here; the Fire Certificate of Occupancy process starting in Jul 2018; Inspector James Thomas sent appointment letters in Jun-Jul for Aug; ultimately, the C of O was Revoked initially in Aug 2018 for violations & failure to allow access; inspector notes: owner has been unresponsive to phone calls; tenants have refused access

-this property has had city provided trash hauler since Nov 2017 (owner's responsibility); city also provided service in Nov 2016

-complaints: overflowing garbage; water shut-off within the last year; multiple bags of garbage on the apron; improperly stored accumulated things; utilities shut-off; we have an absentee landlord

Supervisor Matt Dornfeld, Vacant Buildings: per Inspector Neis' referral, the VB Insp Tom Friel opened a Category 2 VB on Oct 17, 2018; notes read as follows: the 1 1/2 story wood frame duplex has Revoked C of O; referred by Fire Insp James Thomas; house has defective, broken storm windows & screens as well as several items that are listed on the Revocation list; spoke with tenant here, who says that she thought there was an extension; there was not an extension per Insp James Thomas; both units occupied at time of inspection on Oct 17, 2018; as of Nov 5, 2018, Insp Friel noted that the house remains occupied, both units; have not heard from owner; issued Summary Abatement Order to secure the house or vacate it & secure it; also issued a SA Order to clean-up some junk & refuse strewn throughout the yard (Nov 5, 2018) with a compliance date of Nov 13, 2018; appeal was filed & enforcement is stayed

Mr. Neis: this property has a history where we have to go to the ultimate extreme by revoking the C of O to gain compliance; we had to do the same thing in 2017 - had to take the Certificate away in order to get access & get compliance on the bldg

Ms. Moermond: what were the findings in the last C of O inspection in 2017?

Mr. Neis: it also happened to the previous owner; in Apr 2017, the bldg was issued a Condemnation Order on Apr 25, 2017 to have the water turned on (lack of payment); it was Revoked again in Jun 2017 for basement full of mold & mildew; repair window frames; TV blocking exit; missing light globes; missing smoke alarms; front entry door dragging on the floor; no door knobs; painting/patching of walls; unsecured toilet; missing CO alarms; city providing trash service

Mr. Nguyen: I have received a couple of the SA Order; we have made a plan effort to work with the people who live at the property to clean it up but the problem is that because we removed those items, the neighbors started throwing their mattress & things back in the alley again, which is the reason why they keep bringing things over; they know that we're going to clean up; I know I've received quite a few abatement Orders to get the property cleaned up & they do it every time; I spoke to Insp James Thomas that I have made a change of address to DSI to move from 1343 Copperstone to 760 116th Blaine address & I believe the inspection schedule is still being sent to the Copperstone address; the Abatement Order, however, goes to 760 in Blaine, which I received; I wasn't aware of the inspection schedule; we have worked with fire inspectors in the past; we've done everything that we can to comply with the requests being made; I understand how important it is to cooperate & get things fixed; I'm willing to do anything that I can to receive the notification on time & work with the inspection dept; but I'm not receiving what's being sent to Copperstone in Champlin

Ms. Moermond: who did you change your address with & when did you call?

Mr. Nguyen: I called the general number of DSI to make the change of address after the first SA Order (about 5-6 months ago)

Mr. Dornfeld: I have a Blaine address & a Champlin address for Mr. Nguyen

Mr. Neis: (Fire C of O) I show that the Blaine stuff was just updated

Mr. Nguyen: It's unfortunate that it had to come this far in order for us to be able to work together but I'm trying my best to; my phone number is the same; the Inspector has made comments that he's been unable to get returned calls

Ms. Moermond: is there an indication as to when those calls were made?

Mr. Neis: there are notes made on Aug 20: "The C of O had to be Revoked last inspection; the owner does not respond to phone calls;"

Mr. Nguyen: I recognize the City of St. Paul phone number right away - a 266 number & there would be no way that I would not be accepting those calls or listening to messages if those calls were made to my number; I understand how important it is

Ms. Moermond: did your tenants call you when the house got the Revocation placard put on it in Sep?

Mr. Nguyen: No

Mr. Neis: we don't always placard a Revocation

Ms. Moermond: that's too bad; not clear to the person who's living there then; I guess, we need to get a fire inspector in there - Mr. Thomas; I'd like to get those inspection results as soon as possible
-do you have the most recent set of Orders, Sep 19?

Mr. Nguyen: Yes; I know what to expect from a fire inspection

Mr. Neis: I don't have access to Insp Thomas' schedule

Mr. Dornfeld: we do have a VB fee that is due on the 17th; we have it as a Category 2 VB

Mr. Nguyen: I spoke with Insp Thomas last week; he asked me to reach out to him again; I have his contact info

Mr. Neis: how far is 760 Minnehaha from 1128 Beech St?

Mr. Nguyen: about 2 minutes away

Mr. Neis: Mr. Nguyen is alleging that the neighbor have a problem but he has the same issue on Minnehaha about garbage & - this is a pattern on your properties; not just this particular issue (SA for TVs on the sidewalk; garbage piled up; remove improperly stored accumulated material; utilities shut-off; complaint of a generator running for over a month; overflowing refuse coming from trash; household items, etc.); a pattern of ownership

Mr. Nguyen: I'm doing the best that I can; every time I receive a SA, I immediately notify the tenants; I work with them; for 1128 Beech, I even put the property under my name so that they have a garbage collector; it's unfortunate that around that neighborhood, things like that tend to happen; as a property owner, I'm doing my best to get them to be aware of the situation

Ms. Moermond: there are 4 things in play right now

1. VB registration & the fee associated with it
 2. Summary Abatement Order that says 2 things: 1) place seems to be emptied & boarded; and 2) there's garbage that needs to be cleaned up
 3. Fire C Of O Revocation
- if Insp Thomas can get in there by Dec 4, so that we can review a fire inspection here at 2:30 that day & based on the results on that, we can talk about the VB situation

-for the Fire C of O portion of this appeal, I will Lay the matter over to Dec 4 LH
 -the VB fee & registration, we'll decide whether of not it should be in the VB Program in 2 weeks but for the time being, we'll waive the VB fee so that there's no confusion in the computer system (we'll do a 30-day Hold)
 -the SA Order talks about boarding but Insp Thomas will take a look at it

Mr. Neis: an email has already been sent to Insp Thomas

Ms. Moermond: the SA talks about rubbish, debris, glass, household items in the yard & front porch; has that been cleaned up?

Mr. Nguyen: Yes; it's been taken care of

Ms. Moermond: OK

Mr. Dornfeld: I'll have Tom follow-up on that

Mr. Nguyen: unfortunately, because we do the clean-up, the neighbors come & dump stuff back in the alley by the garage; because we clean, they return & dump

Ms. Moermond: moving forward, I don't anticipate you'll have an issue because of the city's organized collection

—
 Forthcoming on the Fire C of O (inspection prior to 12/4/18); waive the VB fee for 30 days; Vacant Building staff to confirm if garbage indicated in the Summary Abatement is abated and if not, process work order.

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

41 [RLH SAO 18-75](#) Appeal of Tracey Brown, RDS Investments, to a Registered Vacant Building Requiring a Code Compliance Inspection and Summary Abatement Order at 1130 FOREST STREET.

Sponsors: Bostrom

Tracey Brown, RDS Investments Company, owner, appeared.

Fire Supervisor A.J. Neis: this is a Revocation of the Fire Certificate of Occupancy/Order to Vacate; the process started last year; appointment letters in Mar, Oct & Nov 2017; C of O was ultimately Revoked for not allowing access; final Revocation Notice was sent in Feb 2018; on Mar 22, 2018, it was transferred to the Vacant Building Program

-notes from Insp James Thomas: the owner, another male & a lady wanted to do the inspection but no one had keys & they wanted Mr. Thomas to give them permission to drill the locks; owner stated that he has been sick & that's why he's missed many of the appointments; he wanted to know if Mr. Thomas would come back later that afternoon; I said that they'd have to wait & get in contact with the tenants (Mar 22 inspection)

Ms. Moermond: is RDS Robert Stein?

Ms. Brown: yes; I'm stepping in to be the property manager for the 21+ properties that they own; it's been decided to remove Bob from the property management aspect of it; Sofia Pham, Remax Results, Tom Kohler, CY Lending & I am trying to re-structure &

*hopefully, we can do a much better job than what's been happening
-some of this stuff is new to me because I just recently came aboard; I apologize for the troubles; I'm trying to navigate my way thru all of this; it's been a little overwhelming; there's a tenant there that I didn't know shouldn't be there; I want to see about helping her so that she can be there to give her some time; I don't want to get her caught in the cross-fire
-I'm trying to figure this all out but I don't know where to start or who to talk to first; I figured this would be my launching pad*

Mr. Neis: how long has the tenant been there?

Ms. Brown: about 6 years; they have been collecting rent for months previous to this one

Mr. Neis: I just wanted to point out that the Certificate was Revoked in Mar 2018; legally, they should not have been collecting rent since then

Ms. Brown: Robert Stein is still the owner; Tom Kohler is stepping in as an investor & I check in with Tom & Sofia; Tom is going to help us get these properties up to code

Ms. Moermond: am I just dealing with you now & legally, how do I know that to be true?

*Ms. Brown: what do you need from me?
-Power of Attorney has been signed over to me & I can get that to you*

Ms. Moermond: I'm looking for information that establishes you in this role as property manager; we need a fresh Fire C of O application form filled out & for this particular property, let's start with an inspection

Mr. Neis: I was at one of your properties last week & there was a gentleman, who identified himself as a property manager & was driving a green Volkswagon.... a younger guy

Ms. Brown: he's not a property manager; he's our handyman; he was working on some things there & was there for the inspection because I was just finishing out on my other job

*Ms. Moermond: if I were you, I'd go to our city website to find out your status & then, follow-up with phone calls; on this property, talk with Fire Insp James Thomas & VB Insp Tom Friel
-I wish we didn't have somebody living at this property; I wish that it was managed differently but we need to get an inspector in there*

Ms. Brown: absolutely, but I don't think that it's ready for inspection; I haven't gone thru it with a fine tooth comb yet; I just don't know

Mr. Neis: this should have, legally, been vacant for the past 5 months; the tenant there may want to consult with an attorney; they most likely will be, legally, entitled to several months of back rent

Ms. Brown: that could be true; my main concern is to figure out what to do with the tenant in there now - how to get it either fixed or give her some time

Ms. Moermond: before we take a next step in terms of VB registration, etc, let's inspect it for it's condition
-let's get a fire inspector in there in the next couple of weeks; go thru the checklist
-we'll talk about this again Dec 4 at LH (staff inspection report)
-let's put a 30-day hold on the vacant building fee

Mr. Neis: I'm emailing Insp Thomas now to contact Tracey Brown directly

Mr. Dornfeld: we have an open Summary Abatement Order to vacate & secure the site
- should we stand down on that?

Ms. Moermond: yes; stand down on that

Mr. Dornfeld: we made this a Cat 2 VB back in Mar; the VB fee has been assessed & not due again until this coming Mar 2019

Ms. Moermond: how come I'm looking at a Nov 5, VB Registration letter then? It's attached to the file

Ms. Brown: I received one of those also

Mr. Dornfeld: I don't know why you're looking at that

Ms. Moermond: because that's what's under appeal

Mr. Dornfeld: the VB file was opened on Mar 28, 2018; a warning letter went out on Apr 30, 2018; the VB fee went to assessment on Jun 1, 2018
-is that Nov 5 letter an NCC letter? (no code compliance) - that's just a reminder to ownership... it's not actually a Registration letter; it's a "heads up" that your place is a Category 2 VB & that it's being illegally occupied; it's not a Registration letter

Ms. Moermond: OK; get the inspection; we'll talk in 2 weeks

Fire C of O inspection prior to December 4.

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

42 [RLH VBR 18-91](#)

Appeal of Chadwick T. Simmons to a Vacant Building Registration Notice at 992 MANVEL STREET.

Sponsors: Jalali Nelson

Chadwick T. Simmons, owner, appeared.

Mr. Simmons: I just bought the building

Supervisor Matt Dornfeld, Vacant Buildings: this bldg just fell on some bad luck; we received notification from the Water Dept that 992 Manvel's water had been shut off; code enforcement followed up & issued a Correction Notice to the previous owner, Luis & Blanca Balderrama; there was no response; they followed up on the Corr Notice & water is still off, code Condemned it back on Oct 24, 2018 for lack of water & transferred it to the Vacant Building Program
-VB staff went out on Oct 24 & Inspector Mike Kalis confirmed that the water was still off; he documented some disrepair & deterioration of the eaves/soffits, windows &

siding; he opened a Category 2 VB file
-11 days ago, the Appellant, Mr. Simmons, purchased the property without any knowledge of this happening

Mr. Simmons: I purchased the house on Oct 15; the TISH didn't indicate Orders on the bldg

Mr. Dornfeld: on Oct 15, the Correction Notice & Condemnation had not yet been issued & it wasn't yet in the VB Program

Mr. Simmons: if it had been listed on the TISH, I would have bought that bldg for \$20,000 less

-I live here in MN half the year & in TX the other half of year

-I'm here today to get this cleared up so that I can get a permit for it & fix it up

Ms. Moermond: what's your plan?

Mr. Simmons: I want to make it beautiful; I will live there half the year; it's a great neighborhood; I did a house at 1139 Raymond; I brought it from a \$126,000 house to a \$375,000 house in 6 months; I sold that one; I'm keeping this one

Mr. Dornfeld: water has been restored; this has been discussed with the dept (Deputy Director Travis & Steve Magner); the decision is left up to you but they did offer that if Mr. Simmons had the intention of pulling exterior bldg permits & getting to work on this, being out of the VB Program would be acceptable under that agreement

Mr. Simmons: I'd like to begin work immediately and be totally done in Apr; (windows, siding, interior, exterior, wood floors, cabinets, whatever needs to be done); entered some pictures of the Raymond address

Ms. Moermond: I trust that you're a good rehabber - that you do nice work & you're able to make a living at that; it's fantastic but with this particular house, I'm wondering when do you anticipate that you'd begin work on it

Mr. Simmons: I would have started 2 weeks ago but I couldn't pull a permit; I already have windows ordered; I have a sider scheduled (usually takes a little bit longer in winter); windows will be installed before the end of the year if I can get a permit

Mr. Dornfeld: we could monitor this as a prelim with no fee & no code compliance inspection attached assuming that progress will be made & this place will look good; that's my recommendation

Mr. Simmons: I want to get an electrician in to remove all the electrical things; the heat's on; the water's on; it has a newer furnace; it's just got crappy windows; the windows will be done before it gets cold; I spoke with someone who said that if the water was on, the VB would probably be removed but they said, "No"

Ms. Moermond: I'm looking for you to pull permits & get going on it within the month

Mr. Dornfeld: you'll be able to pull permits tomorrow morning

Ms. Moermond: OK; you're out of the VB Program

Grant the appeal to be released from the Vacant Building Program and allowing permits to be pulled.

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