



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

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

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Tuesday, February 19, 2019

9:00 AM

Room 330 City Hall & Court House

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

##### Special Tax Assessments

- 1 [RLH TA 19-30](#) Ratifying the Appealed Special Tax Assessment for property at 699 JESSAMINE AVENUE WEST. (File No. J1910A, Assessment No. 198509) (Public hearing continued to September 18)

**Sponsors:** Brendmoen

*Breann Nicole Thomas, owner, appeared along with her husband.*

*Supervisor Lisa Martin:*

*Cost: \$316*

*Service Charge: \$162*

*Total Assessment: \$478*

*Gold Card Returned by: Breann Nicole Thomas*

*Type of Order/Fee: Summary Abatement Order*

*Nuisance: Garbage/Rubbish*

*Date of Orders: October 3, 2018*

*Compliance Date: October 10, 2018*

*Re-Check Date: October 10, 2018*

*Date Work Done: October 12, 2018*

*Work Order #: 18-112205*

*Returned Mail?: No*

*Comments:*

*History of Orders on Property: Nothing since 2013*

*Ms. Moermond: why are you appealing?*

*Mr. Thomas: on the original notice, it does say that it needs to be removed from the property but it also notes at the bottom that it should be removed from the blvd, which was done; it was moved to behind our property & at some point....*

*Ms. Moermond: let's take a look at the Video*

*VIDEO - the chair & ottoman have been removed from blvd & placed on the side of the house & by the garage*

*Ms. Thomas: we are in the middle of flipping stuff in the house; we had every intent of removing it ourselves; typically, we place stuff on the blvd & our nbrs come & get it; it had been on the blvd for only 2 days before we got the notice*

*Ms. Moermond: I am told that you don't have a history of Orders; I see that you moved it from one location to another, which is, technically, complying but it does say, "Get it off your property;" you did try; you haven't done this before & your front yard is at neat as a pin  
-there was some cost with removing the furniture because of its bulk*

*Public hearing continued to September 18, 2019 and if no same or similar violation(s), will reduce from \$478 to \$75.*

**Referred to the City Council due back on 3/6/2019**

**2 RLH TA 19-93**

Ratifying the Appealed Special Tax Assessment for property at 1275 LAFOND AVENUE. (File No. J1910A, Assessment No. 198509) (Public hearing continued to September 18)

**Sponsors:** Jalali Nelson

*Alex Karpicke, owner, appeared.*

*Supervisor Lisa Martin:*

*Cost: \$344*

*Service Charge: \$162*

*Total Assessment: \$506*

*Gold Card Returned by: Alex Karpicke called*

*Type of Order/Fee: Summary Abatement Order*

*Nuisance: Remove yard waste bags and brush piles near alley*

*Date of Orders: October 10, 2018*

*Compliance Date: October 17, 2018*

*Re-Check Date: October 18, 2018*

*Date Work Done: October 18, 2018*

*Work Order #: 18-114754*

*Returned Mail?: No*

*Comments:*

*History of Orders on Property: over-hanging vegetation in alley - 1 time*

*VIDEO - crew removed the yard waste & a pile of brush near alley*

*Ms. Moermond: why are you appealing?*

*Mr. Karpicke: we didn't understand why we got the Work Order; this was tucked behind our garage & not impeding others; after receiving the Notice, we made sure it was neat. We don't understand why we are not allowed to keep a pile of brush & yard waste on our property*

*Ms. Moermond: in the future, call the inspector or file an appeal & talk to me; both of those things are articulated in the Order that you got*

*Ms. Martin: the concern with yard waste is rodent infestation & with garbage bags, we can't tell what's in them; we don't know if it's garbage, yard waste or what; so, Orders are issued*

*Ms. Moermond: I'm struggling here 'cause you got the letter; it told you what to do & you didn't do it*

*Mr. Karpicke: we understand that; we should have contacted you sooner; I'm confused about why aren't we allowed to keep a small amount of brush around to be used for other purposes? We are brand new homeowners; bought the house in Aug 2017; this is the back of our property & we try to maintain as best as we can; other than this one incident, we've kept our yard looking as clean as possible; we do take pride in that*

*Ms. Moermond: you did get Noticed; the city did the work; will cut in half if no same or similar violation(s) to Sep 18, 2019*

*Public hearing continued to September 18, 2019 and if no same or similar violation(s), will reduce from \$506 to \$253.*

**Referred to the City Council due back on 3/6/2019**

- 3 RLH TA 19-75** Ratifying the Appealed Special Tax Assessment for property at 313 TOPPING STREET. (File No. J1911A, Assessment No. 198510)

**Sponsors:** Thao

*Approve; no show.*

**Referred to the City Council due back on 4/3/2019**

- 4 RLH TA 19-33** Ratifying the Appealed Special Tax Assessment for property at 37 ATWATER STREET. (File No. J1909A, Assessment No. 198508)

**Sponsors:** Thao

*Nicole Hill, Quality Residences LLC, owner, appeared.*

*Supervisor Paula Seeley:*

*Cost: \$552*

*Service Charge: \$162*

*Total Assessment: \$714*

*Gold Card Returned by: Nicole Hill, nicsch@msn.com*

*Type of Order/Fee: Summary Abatement Order (remove high chair, play pen, dresser, chair, bed frame, scrap wood, misc debris from rear yard & behind garage on both sides of the alley)*

*Nuisance: Garbage/Rubbish*

*Date of Orders: 9/26/19*

*Compliance Date: 10/3/18*

*Re-Check Date: 10/3/18*

*Date Work Done: 10/5/18*

*Work Order #: 18-109976*

*Returned Mail?: No*

*Comments:*

*History of Orders on Property: 4 complaints in 2017, 3/16/18 - garbage,*

*4/24/18-broken TV in front yard, 5/18/18-TGW, 9/4/18-garbage (all abated by owner)*

*VIDEO - crew removed misc debris, clothes, couch, trash bags, shelf, bed frames,*

trash, scattered trash, etc, along fence & front yard; and removed totes, trash bags, chairs, misc furniture, TV, tires, couches, mattresses in rear yard behind garage

Ms. Hill: Wow! I'm shocked; they gave me pictures that are different; we hire a company to come out & do all of our abatement; (the company gave me pictures & they don't show what you are showing me)

Ms. Moermond: the VIDEO was taken Oct 5; you provided photos from Oct 16 (scanned)

Supervisor Lisa Martin: at this particular property, this is constant

Ms. Moermond: different photos from what Video showed

Approve the assessment.

**Referred to the City Council due back on 3/6/2019**

**5 RLH TA 19-63** Ratifying the Appealed Special Tax Assessment for property at 270 BURGESS STREET. (File No. J1911A, Assessment No. 198510)

**Sponsors:** Thao

Nicole Hill, Quality Residences LLC, owner, appeared.

Supervisor Paula Seeley:

Cost: \$316

Service Charge: \$162

Total Assessment: \$478

Gold Card Returned by: Nicole Hill, Quality Residence Llc

Type of Order/Fee: Summary Abatement Order (remove trash from recycling bins, tires, furniture, trash on the ground, misc debris from rear yard & along the alley)

Nuisance: Tires, furniture and trash at rear of property

Date of Orders: October 31, 2018

Compliance Date: November 7, 2018

Re-Check Date: November 8, 2018

Date Work Done: November 8, 2018

Work Order #: 18-121199

Returned Mail?: No

Comments: EC and Bill was also issued on October 31, 2018

History of Orders on Property: 2 complts in 2016, 2 complts in 2017, Complts for gabage/rubbish 4-13-18, 4-26-18, 8-21-18, 9-14-18, 10-1-18

VIDEO - Order says to remove chair, wood box from rear yard & couch from the front yard

-crew removed the chair, wood box from rear yard & couch from front yard

Ms. Hill: once again, our clean-up crew shows different; we have a Nov 5 date on this; our's just shows garbage cans

Ms. Moermond: your photos are different from our Video; (scanned her photos)

-what's described in the Order matches what the photo is but she shows that there was clean-up done & that the couch problem happened after this Order was written; the description is way different

-will recommend delete

Delete the assessment.

**Referred to the City Council due back on 4/3/2019**

**6 RLH TA 19-20** Ratifying the Appealed Special Tax Assessment for property at 1230 EDGERTON STREET. (File No. J1910A, Assessment No. 198509)

**Sponsors:** Busuri

*Nicole Hill, Quality Residences LLC, owner, appeared.*

*Supervisor Paula Seeley:*

*Cost: \$344*

*Service Charge: \$162*

*Total Assessment: \$506*

*Gold Card Returned by: EMAIL*

*Type of Order/Fee: SUMMARY ABATEMENT (remove overflowing garbage containers & bag of garbage on the ground in rear yard near alley)*

*Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY*

*Date of Orders: 10-5-18*

*Compliance Date: 10-11-18*

*Re-Check Date: 10-12-18*

*Date Work Done: 10-15-18*

*Work Order #: 18-112825*

*Returned Mail?: NO*

*Comments:*

*History of Orders on Property: 6-20-18 SA AND WO, 7-26-18 SA AND WO, 10-3-18 SA AND WO*

*VIDEO - crew emptied overflowing garbage containers & bag of garbage on the ground in rear yard near alley*

*Ms. Hill: this must be after the fact*

*Ms. Moermond: the problem is that the written description is the same as the Order & Video; I saw photos that you just showed me now that were also of the same thing*

*Ms. Hill: it doesn't show the stuff on the side; it just shows the garbage area itself; they are not date-stamped; I can get date-stamped photos & send them in but I'm assuming that maybe those are 2 different times when they came by*

*Ms. Moermond: I don't understand what you mean*

*Ms. Hill: I'm wondering if that was another trash day when that trash was out there because the stuff in the garage was not identified in the pictures that were sent; or maybe the tenants messed it up again*

*Ms. Moermond: if you can show me evidence that you did the clean-up for the Order that was issued Oct 5, I'm happy to look at that but right now, it looks like a clean-up of the area was not done so, the city took care of it*

*Approve the assessment unless the owner can provide documentation of date stamped photos that the work was done by their crew during that time period.*

**Referred to the City Council due back on 3/6/2019**

**7 RLH TA 19-19** Ratifying the Appealed Special Tax Assessment for property at 733 SHERBURNE AVENUE. (File No. J1909A, Assessment No. 198508)

**Sponsors:** Thao

*Nicole Hill, Quality Residences LLC, owner, appeared.*

*Supervisor Paula Seeley:*

*Cost: \$160*

*Service Charge: \$162*

*Total Assessment: \$322*

*Gold Card Returned by: EMAIL*

*Type of Order/Fee: TGW ORDER*

*Nuisance: FAILURE TO CUT GRASS*

*Date of Orders: 9-28-18*

*Compliance Date: 10-3-18*

*Re-Check Date: 10-5-18*

*Date Work Done: 10-5-18*

*Work Order #: 18- 110652*

*Returned Mail?: NO*

*Comments:*

*History of Orders on Property: 1-3-18 SA ON APPLIANCE, 5-8-18 SA VEHICLE ORDER, 9-19-18 TRASH NEAR ALLEY*

*Ms. Hill: we are not contesting; the people who supposedly, did the work for us, who invoiced us, were not able to supply us with pictures*

*Ms. Moermond: I'm curious; let's take a look at that Video*

*VIDEO - crew cut tall grass & weeds*

*Ms. Moermond: looks like it hadn't been cut in a long time & you've got trees growing out of the foundation*

*Approve the assessment.*

**Referred to the City Council due back on 3/6/2019**

**8 RLH TA 19-102** Ratifying the Appealed Special Tax Assessment for property at 289 COMO AVENUE. (File No. J1911A, Assessment No. 198510)

**Sponsors:** Thao

*289 Como Avenue*

*Dave Heil, Midwest Commercial LLC, owner, appeared.*

*Supervisor Paula Seeley:*

*Cost: \$313*

*Service Charge: \$162*

*Total Assessment: \$478*

Gold Card Returned by: Dave Heil  
Type of Order/Fee: Summary Abatement Order  
Nuisance: Failure to maintain exterior  
Date of Orders: October 29, 2018  
Compliance Date: November 5, 2018  
Re-Check Date: November 5, 2018  
Date Work Done: November 7, 2018  
Work Order #: 18-120265  
Returned Mail?: No  
Comments:  
History of Orders on Property:

VIDEO – crew removed tire, entertainment center, mattress, pallets, excessive debris near alley, north end of property

Ms. Moermond: I see a complaint back in 2013 – quite a ways back

Mr. Heil: that was prior to our ownership; I & my son have owned this property since 2016; I've been owner/manager for the last 3 years; I take great pride in my property -re the letter: there was an address change & the Post Office did not forward the letter to us; it must have gone back & forth a couple of times because we just recently received the Notice; that's why there was no mail returned  
-the spot that the trash was in, I didn't see it & during that time frame, I was out of town for 2 weeks; I do make weekly trips to check on the site; my rule is that if someone leaves a piece of garbage out, it just attracts more; I've hauled a lot of trash out of this place because that alley & around that corner & the bldg beside this one has a loading dock where people throw things onto & it lands in my space; then, I'm responsible for it; it's not fair  
-I keep that alley clean for me & the next door business; a Waste Management garbage bin was there for a while & nobody claimed it; I called Waste Management & asked them to remove the can; I keep emptying it; people keep filling it; it's a drop off; after 6 months, I asked the nbr if I could put the can into his dumpster & he said, "Fine;" so, we got rid of it  
-I call SPPD for abandoned cars that get parked in the alley around the corner; police come & ticket them & I can have them towed for free & I've done it; one time I was there to have it done & a person came out of the next door bldg. & said, "You don't own this alley; why do you think you can have these cars towed?" I answered, "Because I pay taxes here & I maintain this place; you don't;" he goes, "You know, you could disappear;" I said, "Really; that's a pretty strong statement; you best go back where you're from;" I take care of this place  
-I would like clarification on who is really responsible for the alley?  
-People can't access my property without the alley access; it's never been plowed for access; I plow my site; I have to plow the alley so my people can get in; if that's not my responsibility, then I would appreciate it if the city would plow it & also maintain the garbage – tires are dropped constantly; costs me to get rid of them; all this stuff is expensive

Ms. Moermond: let's make sure your address is correct in our computer system:  
Midwest Commercial LLC, 190 Gleason Lake Rd, Wayzata, MN 55391-6587

Mr. Heil: when we got the letter, my son called & it had not been sent to our PO Box

Ms. Seeley: Ramsey County has 190 Gleason Lake Rd, Wayzata

Mr. Heil: OK; our mailing address is P.O. Box 27596, Golden Valley, MN 55427

Ms. Moermond: you should contact Ramsey County Property Records & Revenue & let them know, 651/266-2000; find out what they need to do to get that address fixed because the city system looks to Ramsey Co for the owner of record & address

Ms. Seeley: the city holds the owner responsible to the center line of the alley; so, if there's a car parked close to your bldg. inside the center line of the alley, the owner can get a manager's tag to get the car towed

Mr. Heil: I'm constantly picking up down there & the rock ledge with bushes is continuously filled with trash thrown there by people waiting for the bus

Ms. Seeley: you can call Public Works & ask them to put a trash container for the bus stop there

Mr. Heil: the problem with that is then, it's a drop off point; & will PW pick up that trash, regularly?

Ms. Moermond: yes, they do

-you're going to call Ramsey Co about your address

-Fire C or O change of responsible party should be changed, as well (provided a form)

-I am sympathetic to your situation & understand you have been thru the wars on this

-looking at the alley, what is it?

Mr. Heil: well beyond it's time of asphalt; I'm continually doing weed control; taking care of nbr's trash because they don't do a good job of it (photo); he does allow me to use his dumpster when I pick up garbage, so I do it for him because their store front is out front & they don't walk around that side of the bldg. for any reason

Ms. Moermond: so that alley provides access to you, your neighbor & immediately to the east & just a little piece is accessed to your neighbor to the west

Mr. Heil: this had to happen when I was gone for 2 weeks & the mail didn't get to us or I sure would have taken care of it

Ms. Moermond: it is legal, appropriate & really a good public service to make sure the alley is free from vehicles

Gail Heil: I want to make sure because even if a car is way off in the corner, and a wheel isn't off to our side, can we still call parking enforcement?

Ms. Seeley: talk to the owner of that site

Mr. Heil: that's the one I spoke with

Ms. Seeley: just call parking enforcement, 651/291-1111; you could also call DSI

Mr. Heil: that's what I do

Ms. Heil: this doesn't happen often, maybe about 5 times; there was an old van & someone was living in there; we want to be legal on this

Mr. Heil: it's kind of off the beaten trail



*Ms. Moermond: just to be clear, renters do pay property taxes; but it's an alley; the right-of-way that the alley is should be for public passage; so calling it in is fine  
-I'm going to give you the Councilmember's information: Dai Thao, Ward 1; 651/266-8610; his office would be a good contact to talk about garbage or strategy of dealing with getting the alley re-paved, etc, things that make you less likely to be targeted; he might be aware if there's any money available to help with that  
-I'm going to recommend deletion of the assessment*

\_\_\_\_\_

*Delete the assessment.*

**Referred to the City Council due back on 4/3/2019**

**9 RLH TA 19-103** Ratifying the Appealed Special Tax Assessment for property at 1298 EDGCUMBE ROAD. (File No. J1911A, Assessment No. 198510)

**Sponsors:** Tolbert

*Jeffrey King, owner, appeared.*

*Supervisor Paula Seeley:*

*Cost: \$316*

*Service Charge: \$162*

*Total Assessment: \$478*

*Gold Card Returned by: Jeffrey King*

*Type of Order/Fee: Summary Abatement Order*

*Nuisance: Failure to maintain exterior (including TV, carpeting & debris)*

*Date of Orders: October 19, 2018*

*Compliance Date: October 26, 2018*

*Re-Check Date: October 26, 2018*

*Date Work Done: November 1, 2018*

*Work Order #: 18-117608*

*Returned Mail?: NO*

*Comments:*

*History of Orders on Property: TGW 5/26/17; done by owner*

*VIDEO - crew removed couch; it's all I have*

*Mr. King: I got rid of everything there except for the couch; I didn't get the letter until after the fact, after the 26th; I called the inspector; a handicapped girl was living there; it was her couch; I told her prior to receiving the letters that she needed to get rid of it  
-I have a separate mailbox downstairs where the postman delivers my mail; at the same time, I was missing a rent check from the girl whose couch it was; I had to call her to get the check*

*Ms. Moermond: the Order was sent on the 19th, a Fri; the due date was the following Fri, the 26th; the crew didn't show up until the following Thu; that was quite a long period of time*

*Mr. King: I did not get the letter until after the fact  
-as soon as I realized that I had mail from the city, I took care of it at that point in time  
-I knew about the couch originally & I told the tenant to get rid of it; being handicapped, she wasn't able to get rid of it; her mother is her personal representative; she happened to be there when I got the letter, which was the next week; I immediately*

*called the building inspector & told him that the couch was still there; he said that he'd put a stop pick-up on it so that the girl could get rid of it; the next day, I was going to bring over my truck & haul it out, as usual, because a lot of people dump stuff there; it was not her TV or carpet  
-like I said, I did not get the letter until after the 26th*

*Ms. Moermond: and the crew didn't show up until 5 days after that, so you did have time to deal with this*

*Ms. Seeley: the TGW in May of '17 did generate a PAEC because it wasn't done in time for the re-inspection; it was pretty tall*

*Ms. Moermond:*

*Public hearing continued to September 18, 2019 and if no same or similar violation(s), will reduce from \$478 to \$239.*

**Referred to the City Council due back on 4/3/2019**

### 10:00 a.m. Hearings

- 10 RLH TA 19-82** Ratifying the Appealed Special Tax Assessment for property at 197 BAKER STREET EAST. (File No. J1912A, Assessment No. 198511)

**Sponsors:** Noecker

*Glen J. Brown-Lowe, owner, appeared.*

*Supervisor Paula Seeley:*

*Cost: \$358*

*Service Charge: \$162*

*Total Assessment: \$520*

*Gold Card Returned by: Glen Brown-Lowe*

*Type of Order/Fee: Summary Abatement Order*

*Nuisance: Rubbish/Garbage*

*Date of Orders: October 31, 2018*

*Compliance Date: November 7, 2018*

*Re-Check Date: November 7, 2018*

*Date Work Done: November 15, 2018*

*Work Order #: 18-120996*

*Returned Mail?: No*

*Comments:*

*History of Orders on Property: 2/15/17-garbage, 4/16/18-garbage, 8/20/18-garbage, 9/12/18-interior complt*

*Ms. Moermond: how are you connected to the property?*

*Mr. Brown-Lowe: I'm the new owner; I assumed ownership Oct 31, 2018; I received Notice Nov 7, I think it was, & I took care of it right away; I didn't receive the first Notice; I have evidence of my closing date*

*Ms. Moermond: I'm looking at closing documents that says Oct 31, 2018*

*-I will recommend that Council delete the assessment; the Notification was issued the date of closing & the work occurred after the closing but the Notice went to the*

*previous owner*

*Delete the assessment.*

**Referred to the City Council due back on 4/3/2019**

**11 RLH TA 19-83** Ratifying the Appealed Special Tax Assessment for property at 367 BATES AVENUE. (File No. J1912A , Assessment No. 198511)

**Sponsors:** Prince

*Yan Chen & Governor Joe, tenant, appeared.*

*Supervisor Lisa Martin:*

*Cost: \$288*

*Service Charge: \$162*

*Total Assessment: \$450*

*Gold Card Returned by: YAN CHEN*

*Type of Order/Fee: SUMMARY ABATEMENT (remove sofa from front on blvd)*

*Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY*

*Date of Orders: 11-7-18*

*Compliance Date: 11-14-18*

*Re-Check Date: 11-18-18 -this is a typo; should be 11-14-18*

*Date Work Done: 12-3-18 -this is a typo; should be 11-15-18*

*Work Order #: 18-122919*

*Returned Mail?: NO*

*Comments:*

*History of Orders on Property: NO*

*VIDEO - crew removed sofa from blvd*

*Ms. Moermond: the Order was issued on Nov 7 but the crew didn't go out until Dec 3 (?); was an extension granted by staff?*

*-why are you appealing?*

*Ms. Chen: the Notice was sent to 5509 Morgan Ave S, Mpls; my address changed; I moved at the end of Aug, 2018 & I didn't receive a letter; if I had, I would have called the tenant about it but the tenant said he didn't receive a letter either*

*Ms. Moermond: I have your name, Ms. Chen & Joachim Mueller; did Joachim Mueller move, too?*

*Ms. Chen: yes*

*Ms. Moermond: and you didn't have your mail forwarded?*

*Ms. Chen: I had my mail forwarded*

*Ms. Moermond: your tenant would have gotten a letter, too*

*Mr. Joe: I didn't receive a letter; if it was sent to my address, I didn't get it*

*Supervisor Lisa Martin: the work was done on Nov 15, 2018; the re-check was Nov 14 (must be a typo)*

*Mr. Joe: there was more stuff out there; we called Goodwill & they said that if we put it out by the street, they would pick it up for a donation; they told us that they would take the sofa & everything; when they came, they looked at some of the stuff; I had hauled some things away & when I came to get the sofa, it was gone; so, the city must have come to pick it up but I never got the letter & I had already started to remove the stuff that was out there*

*Ms. Moermond: Ms. Chen, did you let the county know where you live now?  
-the city's obligation is to send it to the owner, who's listed at Ramsey County Taxation*

*Ms. Chen: yes; I did let the county know my new address  
-in my recollection, I never saw that letter & he didn't receive a letter either; we don't have any trash issues & he has been a very responsible person; the previous tenant had some issues but Mr. Joe is very responsible*

*Ms. Moermond: staff says there's no history here & you did get your address changed with the county, which is good; my goal is that you won't have any more violations*

Public hearing continued to September 18, 2019 and if no same or similar violation(s), will reduce from \$450 to \$100.

**Referred to the City Council due back on 4/3/2019**

- 12 RLH TA 19-89** Ratifying the Appealed Special Tax Assessment for property at 700 BURR STREET. (File No. J1912A, Assessment No. 198511)

**Sponsors:** Brendmoen

*Approve; no show.*

**Referred to the City Council due back on 4/3/2019**

- 13 RLH TA 19-67** Ratifying the Appealed Special Tax Assessment for property at 1605 BUSH AVENUE. (File No. J1912A, Assessment No. 198511)

**Sponsors:** Prince

*Delete. New phone app did not work and Summary Abatement Order went out.*

**Referred to the City Council due back on 4/3/2019**

- 14 [RLH TA 19-96](#)** Ratifying the Appealed Special Tax Assessment for property at 725 CHARLES AVENUE. (File No. J1912A, Assessment No. 198511)

**Sponsors:** Thao

*Mary Thirsten, Phoenix Residence Inc, owner, appeared.*

*Supervisor Lisa Martin:*

*Cost: \$536*

*Service Charge: \$162*

*Total Assessment: \$698*

*Gold Card Returned by: Mary Thirsten*

*Type of Order/Fee: Summary Abatement*

*Nuisance: Failure to maintain exterior*

*Date of Orders: 10-10-18*

*Compliance Date: 10-17-18*

*Re-Check Date: 11-9-18*

*Date Work Done: 11-16-18*

*Work Order #: 18-121851*

*Returned Mail?: No*

*Comments:*

*History of Orders on Property: Extensive history on this property.*

*VIDEO - crew removed trash & piles of refuse from the property & the adjacent lot at 723 Charles (TV, grocery carts, other refuse by the alley & yard, piles of trash, refuse, trash bags)*

*Ms. Martin: in this particular case, we've had the police out here with Insp Westenhofer because of the occupants at 725, who continue to bring all of this; currently, we have an open file*

*Ms. Moermond: 725 is a narrow lot & 723 is a wider lot, as seen in aerial map; 725 goes about 1 ft beyond the sidewalk along the house;  
-who owns 723 Charles & did the Orders go to that owner?*

*Supervisor Paula Seeley: 723 has a different owner*

*Ms. Moermond: looks like there's also a file open at the same time at this property; Orders were issued as well to 723  
-Notice went to Occupant & Phoenix Residence Inc  
-why are you appealing?*

*Ms. Thirsten: I went & did the online services & I think during that time frame, we had squatters; the gentleman, who was our tenant, was given Notice on Oct 1, 2018 to be out by Oct 31, 2018 & we gave Notice to Occupant because he allowed people to come in; our tenant was actually in jail from Sep 24 - well beyond ... we got the police involved; they said that there was nothing they could do about it; we'd have to take him to Eviction Court; we did that & they were evicted but not until Dec; they were scappers & we couldn't keep up; there were many abatement orders & we complied with every single one; then, I have one without a date on it  
-I don't believe that we received an abatement order for that time period (Nov 14 - Nov 29)*

*Ms. Moermond: the Order that we're talking about right now was issued Oct 10, 2018*

*Ms. Thirsten: on Oct 10, I see that the status was resolved; we got that one & we cleaned up; I don't know if by "Resolved" they mean that they resolved it or what  
-when I pull all these up.... we went over & we cleaned up every single time  
-the letter we received was property clean-up on private property during the time period of Nov 14 - Nov 29*

*Ms. Seeley: coming forward, there was a SA Order dated Oct 10, 2018 & almost a month was given by Insp Westenhofer*

*Ms. Thirsten: Oh, I see*

*Ms. Moermond: the Order was issued Oct 10 but the work wasn't done 'til Nov 16 &*

*that's why it says that; so, 5 weeks later, actually, the crew went out*

*Ms. Martin: Insp Westenhofer talked to me this morning & said that he had given extensions to finally get this under control because there was a situation with the tenant & stuff; but then, it wasn't resolved & continued to pile up, so, the Work Order was sent*

*Ms. Thirsten: so, the "Resolved" on my 10-10 Work Order, what does that mean? It's from the city*

*Ms. Moermond: the work was either taken care of by the owner or by the city -do you have documentation of your people going out & cleaning this up?*

*Ms. Thirsten: our property manager would go out & clean it*

*Ms. Moermond: sometimes those who clean up take pictures; so,....  
-I want to make sure that we're talking about the amount of money associated with cleaning up this property & not the other property  
-the written description on the SA covers what's there but it's also not terribly specific about what's going on there  
-viewed VIDEO again  
-I would really like to get an itemization from Parks on this; I think that they lumped those 2 properties together*

*Ms. Martin: & again, because it was from the tenant at 725 Charles.....*

*Ms. Moermond: that doesn't mean that we can bill it that way  
-I'd also like to get some information on who Mr. Westenhofer was working with in terms of the extensions that were given so I have a better idea of what kind of communication was going back & forth & what the expectations were; so I will continue this for 1 month (Mar 19, 2019 LH) to get that additional information  
-please sign in & leave your email address; we can share the information along the way; we may be able to deal with this by email & save you a trip down here but if you want to discuss this more, I'm happy to do that on Mar 19*

*Recommendation is forthcoming.*

**Laid Over to the Legislative Hearings due back on 3/19/2019**

- 15 RLH TA 19-73** Ratifying the Appealed Special Tax Assessment for property at 1043 CHARLES AVENUE. (File No. J1912A, Assessment No. 198511)

**Sponsors:** Thao

*Approve; no show.*

**Referred to the City Council due back on 4/3/2019**

- 16 RLH TA 19-71** Ratifying the Appealed Special Tax Assessment for property at 1049 EDMUND AVENUE. (File No. J1912A, Assessment No. 198511)

**Sponsors:** Thao

*Yaneque Walker, owner, appeared.*

Supervisor Paula Seeley:  
Cost: \$288  
Service Charge: \$162  
Total Assessment: \$450  
Gold Card Returned by: YANEQUE WALKER  
Type of Order/Fee: SUMMARY ABATEMENT (remove cabinet from the alley side of the property)  
Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY  
Date of Orders: 11-8-18  
Compliance Date: 11-15-18  
Re-Check Date: 11-15-18  
Date Work Done: 11-19-18  
Work Order #: 18-123200  
Returned Mail?: NO  
Comments: NO  
History of Orders on Property: 11-30-18 VEHICLE ORDERS

Ms. Moermond: he's describing a cabinet but I'm seeing that the cabinet is in front of something else

Ms. Seeley: some kind of a trailer

VIDEO - crew removed the wood cabinet

Ms. Moermond: so, it looks like the cabinet existed on the alley side & got moved to the other side of the trailer; alright  
-why are you appealing?

Mr. Walker: that cabinet did not belong to the property; one of the renters or somebody moved it & they keep doing it; they throw stuff right in the alley; so, when people can't get down the alley, they throw it on the property & the bad thing about it is my girlfriend, when I wasn't in town & she got the letter & I wasn't around, she put it in the back behind the dune buggy, so I could get to it before she had to pay this fine to you guys  
-it was in the road & someone put it closer to my property & the city wrote it up like it's ours

Ms. Moermond: why didn't she put it in the garage?

Mr. Walker: why would she put it in the garage? It's not ours; besides, the garage has some stuff in there

Ms. Moermond: if someone dumps on my driveway, lets' say tires; I'm stuck with the tires & it's my responsibility to get rid of them  
-where's the buggy now?

Mr. Walker: me & the inspector had this discussion; he thought the buggy did not have plates on it but it has collector plates on it; so, he told me that it was not an issue; the issue is about the shelf to begin with

Ms. Moermond: Ms. Martin, what's your assessment of the vehicle in the photograph?

Ms. Martin: I'd have to look at that again

*Ms. Seeley: Inspector Westenhofer was out there in Nov 2017 & wrote Orders on a VW & a Suzuki*

*Mr. Walker: we spoke about that; he said that they have to have tabs on them; I told him they have collector plates; a friend of mine parked one of his cars behind my garage & that was the issue that he had in 2017; I had the person move the car*

*Ms. Moermond: looking at the plat map & the aerial map  
-looks like you've got a double garage there  
-I'm going to look if you have no same or similar violation(s) thru Sep 18, I'm going to get you down to \$100; OK?*

*Mr. Walker: I took a day off of work; have to pay for parking; if someone put it in my alley, why couldn't I have put it in my neighbor's alley or moved it around, then, it would be their problem; honestly, that shelf does not belong to us; it's costing me some money; dumping stuff on my property that is costing me money to get rid of other people's garbage; it has nothing to do with me*

*Ms. Moermond: you're telling me that you could have dumped on somebody else's property, too.... when the tires land on my property, I'm stuck with them  
-a letter was sent to you saying, "Please address this..." and you're saying*

*Mr. Walker: she moved it; somebody in the apartment dumped this & created a whole nightmare in my life that has nothing to do with me; if it was mine, I'd say, "OK;" we both know that this doesn't belong to me; I took off a day from work; paid for parking; I came down here to show that it has nothing to do with me; it kind of mind boggeling to me*

*Ms. Moermond: a letter went out to address this problem; it got half-addressed; it was not removed from the area; you're saying, "It's not mine;" you know what, I get that it's not yours anymore than the tires in my driveway would be mine; they still have to be addressed; I'm going to get you down to \$100 on this if no same or similar things going on..... I think that's..... you know..... Are you aware that your garbage collection with the city service, you can have bulky pick-ups (1 or 2 free items a year)?*

*Mr. Walker: this is almost promoting people to dump stuff anywhere; they got away with it & I'm the one stuck with it; I'm working 7 days a week trying to pay my bills; now, ..*

*Ms. Moermond: I have to determine whether this is a private property concern or a public concern?*

*Mr. Walker: I do appreciate your knocking it down but I don't feel that I should have to pay for it at all just because..... this is the first time I've been here; I take care of things dumped all the time because of the apartments along there*

*Ms. Moermond: I get the frustration but the letter went out & it says that you can appeal, you can call the inspector*

---

*Public hearing continued to October 16, 2019 and if no same or similar violation(s), will reduce from \$450 to \$50.*

**Referred to the City Council due back on 4/3/2019**



17     **RLH TA 19-98**     Ratifying the Appealed Special Tax Assessment for property at 2171 FIFTH STREET EAST. (File No. J19012A, Assessment No. 198511)

Sponsors:     Prince

*Karson Xiong & Paolee Vang, owners, appeared.*

*Supervisor Paula Seeley:*

*Cost: \$316*

*Service Charge: \$157*

*Total Assessment: \$478*

*Gold Card Returned by: Karson Xiong & Paolee Vang*

*Type of Order/Fee: Summary Abatement Order (brush, tree branches in back yard) & (immediately secure garage door)*

*Nuisance: Failure to maintain exterior property*

*Date of Orders: October 31, 2018*

*Compliance Date: November 6, 2018*

*Re-Check Date: November 7, 2018*

*Date Work Done: November 14, 2018*

*Work Order #: 18-121223*

*Returned Mail?: No*

*Comments:*

*History of Orders on Property:*

*VIDEO - crew removed tree branch/brush along fence in back*

*Ms. Moermond: it was mailed to Michael Severson at this address; Julia Vang, 1453 Cumberland St, St. Paul; & to the Occupant*

*Mr. Xiong: we just bought the property on Nov 9, 2018*

*Ms. Moermond: and they didn't tell you there was an Order on the property (?)*

*Mr. Xiong: the title company didn't mention it so, we had no clue; we went thru the title company & they said that the assessments are clean*

*Ms. Moermond: this wasn't an assessment at the time; it was an Order to take care of something*

*Mr. Vang: the owner never mentioned anything about it so, we had no knowledge of it*

*Ms. Seeley: this is now a Category 1 VB & we also did a Work Order to Respro to board the garage*

*Ms. Moermond: the responsibility really lies with Michael Severson & Julia Vang -what happens when you buy a property, a debt like this goes with the property; the owner at the time is legally obligated to tell you that there was this outstanding Order on it & they didn't tell you that; & because of that, they are morally & legally responsible for taking care of that -were you represented by a real estate transaction by a realtor?*

*Mr. Xiong: yes; I'm the realtor*

*Ms. Moermond: were the previous owners there?*

Mr. Xiong: No; it was a VB for 6 months

Ms. Moermond: so, you bought a vacant property & there was an Order on it; so, you know that there are documents that somebody signs at a closing that says, "I'm the current owner & I'm not aware of any Orders on this property," right?

Mr. Xiong: Yes

Ms. Moermond: this was an Order that they received in the mail more than a week ahead of the closing

Mr. Xiong: OK

Ms. Moermond: so, you either pay the bill or go after them  
-provided the Orders/other documents to Mr. Xiong  
-& if you want, we can email the VIDEO to Mr. Xiong

Ms. Martin: I didn't see a TISH on this one either

Ms. Moermond: in the City of Saint Paul, you require a Truth in Sale of Housing (TISH) Report  
-I'm going to recommend approval on this; the public sector shouldn't be paying the bill on this; it's a private matter between the buyer & the seller

Approve the assessment.

**Referred to the City Council due back on 4/3/2019**

- 18 RLH TA 19-87** Ratifying the Appealed Special Tax Assessment for property at 1344 FREMONT AVENUE. (File No. J1912A, Assessment No. 198511)

**Sponsors:** Prince

Approve; no show.

**Referred to the City Council due back on 4/3/2019**

- 19 RLH TA 19-28** Ratifying the Appealed Special Tax Assessment for property at 1888 LACROSSE AVENUE. (File No. J1901G1, Assessment No. 198706)

Approve the assessment. Tenant missed 3 hearings; told him to go to City Council on 3/6.

Cost: \$200

Service Charge: \$40

Total Assessment: \$240

Gold Card Returned by: Michael Krohn (tenant) called in

Type of Order/Fee: Garbage Hauling

Nuisance: no garbage service

Date of Orders: 1st initial garbage hauler letter sent out on 12/27/17, another one sent 4/6/18

Compliance Date: 04/05/2018 : 04/05/2018 Gabage Hauler WO created: PH

18-050031

*The responsible party failed to provide the requested information to the inspector, or obtain weekly garbage service by a licensed garbage hauler. Continue to monitor. Send one city garbage container.*

*Date Work Done: June 6, 2018, June 13, 2018, June 19, 2018 and June 26, 2018*

*Work Order #: 18-072702, 18-074728, 18-067247, 18-070158*

*Returned Mail?: No*

*Comments:*

*History of Orders on Property: 5 in 2017, many in 2018 for no hauler and garbage/rubbish*

**Referred to the City Council due back on 3/6/2019**

**20**     [RLH TA 19-29](#)

Ratifying the Appealed Special Tax Assessment for property at 1888 LACROSSE AVENUE. (File No. J1905A4, Assessment No. 198524)

*Approve the assessment. Tenant missed 3 hearings; told him to go to City Council on 3/6.*

*Cost: \$344*

*Service Charge: \$162*

*Total Assessment: \$506*

*Gold Card Returned by: Michael Krohn (tenant) called in*

*Type of Order/Fee: Summary Abatement Order*

*Nuisance: Garbage/Rubbish*

*Date of Orders: July 26, 2018*

*Compliance Date: July 30, 2018*

*Recheck Date: July 31, 2018*

*Date Work Done: August 2, 2018*

*Work Order #: 18-090050*

*Returned Mail?: No*

*Comments:*

*History of Orders on Property: 5 in 2017, many in 2018 for no hauler and garbage/rubbish*

**Referred to the City Council due back on 3/6/2019**

**21**     [RLH TA 19-59](#)

Ratifying the Appealed Special Tax Assessment for property at 1888 LACROSSE AVENUE. (File No. J1906A4, Assessment No. 198528)

**Sponsors:**     Busuri

*Approve the assessment. Tenant missed 3 hearings; told him to go to City Council on 3/6.*

*Cost: \$288*

*Service Charge: \$162*

*Total Assessment: \$450*

*Gold Card Returned by: Michael Krohn, Tenant called*

*Type of Order/Fee: Summary Abatement Order*

*Nuisance: Garbage/Rubbish*

*Date of Orders: 8/22/18*

*Compliance Date: 8/26/18*

Re-Check Date: 8/27/18  
Date Work Done: 8/29/18  
Work Order #: 18-099282  
Returned Mail?: No  
Comments:  
History of Orders on Property: 12 SAs and 7 went to Work Orders for garbage/rubbish

**Referred to the City Council due back on 3/6/2019**

**22 RLH TA 19-66** Ratifying the Appealed Special Tax Assessment for property at 596  
LAWSON AVENUE EAST. (File No. J1912A , Assessment No. 198511)

**Sponsors:** Busuri

TouFu Vang, owner, appeared.

Supervisor Paula Seeley:  
Cost: \$516  
Service Charge: \$162  
Total Assessment: \$678  
Gold Card Returned by: TOUFU VANG  
Type of Order/Fee: SUMMARY ABATEMENT (remove mattress, trash bags, furniture,  
overflowing garbage containers, large pile of rubbish, misc debris in rear yard & near  
alley)  
Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY  
Date of Orders: 11-8-18  
Compliance Date: 11-15-18  
Re-Check Date: 11-15-18  
Date Work Done: 11-21-18  
Work Order #: 18-124486  
Returned Mail?: NO  
Comments:  
History of Orders on Property: NO

VIDEO - crew removed garbage bags, TVs, mattresses, furniture, large pile of rubbish  
& misc debris in rear yard near alley

Ms. Moermond: why are you appealing?

Mr. Vang: I was not in town when Notice was issued so, I wasn't able to take care of  
that; the tenants moved out & that was their rubbish without me knowing that they left  
it there; when I got back in town & saw the Notice, it had already happened; I rushed  
over there & saw that everything was gone; I contacted the inspector ASAP & he told  
me to attend the hearing to see what you could do for me; I know that it is my  
responsibility since they are not there; I would have taken care of it had I known but  
not being in town to know that I needed to take care of it - it was bad timing...

Ms. Moermond: it looks like it was there for quite a while; a lot of leaves were piled up  
on that; the picture was taken in Nov  
-I'm not feeling very sympathetic because of the huge mess it was

Mr. Vang: I hear you but if you could lower the amount for me a little because I didn't  
know about it & I was out of town; I know that it's my responsibility

Ms. Moermond: this is about the most expensive way to get a mess cleaned-up

*Mr. Vang: and it's not my intention to do it that way - definitely*

*Ms. Moermond: I'm going to recommend approval of the assessment; it's just such a large pile that was left there; if it was the tenants moving out, I'm assuming that they left it there at the beginning of Nov & the crew didn't show up until 3 weeks later on Nov 21; if I were a neighbor & I see that, clearly, nobody cares what that looks like, I don't feel very good about my property or my neighborhood*

\_\_\_\_\_  
*Approve the assessment.*

**Referred to the City Council due back on 4/3/2019**

**23**     [RLH TA 19-41](#)

Ratifying the Appealed Special Tax Assessment for property at 155 MARYLAND AVENUE WEST. (File No. J1910A, Assessment No. 198509)

**Sponsors:**        Brendmoen

*Approve; no show. (rescheduled 2x)*

*Cost: \$298*

*Service Charge: \$162*

*Total Assessment: \$460*

*Gold Card Returned by: JESSICA JESKE*

*Type of Order/Fee: SUMMARY ABATEMENT*

*Nuisance: FAILURE TO MAINTAIN EXTERIOR PROPERTY*

*Date of Orders: 10-11-18*

*Compliance Date: 10-18-18*

*Re-Check Date: 10-18-18*

*Date Work Done: 10-19-18*

*Work Order #: 18-114976*

*Returned Mail?: NO*

*Comments:*

*History of Orders on Property: NO*

**Referred to the City Council due back on 3/6/2019**

**24**     [RLH TA 19-99](#)

Ratifying the Appealed Special Tax Assessment for property at 962 UNIVERSITY AVENUE WEST. (File No. J1912A, Assessment No. 198511)

**Sponsors:**        Thao

*Abdulrahman Mohamud, owner, appeared.*

*Supervisor Paula Seeley:*

*Cost: \$484*

*Service Charge: \$162*

*Total Assessment: \$646*

*Gold Card Returned by: Abdulrahman Mohamud*

*Type of Order/Fee: Summary Abatement Order (remove trash & debris from the back side of the property)*

*Nuisance: Failure to maintain exterior property*

*Date of Orders: November 15, 2018*  
*Compliance Date: November 26, 2018*  
*Re-Check Date: November 26, 2018*  
*Date Work Done: November 30, 2018*  
*Work Order #: 18-125446*  
*Returned Mail?: No*  
*Comments:*  
*History of Orders on Property:*

*Mr. Mohamud: I'm the new owner as of Oct 2018*

*Ms. Moermond: do you have a document with the closing date on it?*

*Mr. Mohamud: I do*

*Ms. Moermond: could you scan/copy it & email it to me?*

*Mr. Mohamud: OK*

*Ms. Moermond: as soon as I have that I will see that during your period of ownership something happened & the city sent the Notice to the previous owner; if you can get that to me, I can Delete this assessment*

*Forthcoming. Owner to provide closing document.*

**Referred to the City Council due back on 4/3/2019**

### Special Tax Assessments - Rolls

- 25 RLH AR 19-15** Ratifying the assessments for Property Clean Up services during October 31 to November 13, 2018. (File No. J1911A, Assessment No. 198510)

**Sponsors:** Brendmoen

**Referred to the City Council due back on 4/3/2019**

- 26 RLH AR 19-16** Ratifying the assessments for Property Clean Up services during November 14 to 29, 2018. (File No. J1912A, Assessment No. 198511)

**Sponsors:** Brendmoen

**Referred to the City Council due back on 4/3/2019**

### 11:00 a.m. Hearings

#### Summary Abatement Orders

- 27 RLH SAO 19-12** Appeal of JoAnn Lorvig-Tsoumanis to a Summary Abatement Order at 1400 CHARLES AVENUE.

**Sponsors:** Jalali Nelson

*JoAnn Lorvig-Boumanis, owner, appeared.*

*Supervisor Lisa Martin: SA Order was issued Jan 22, 2019 by Insp Kedrowski; it was sent to the Occupant as well as JoAnn Lorvig-Boumanis at 1400 Charles Ave  
-remove piles of scrap wood in rear yard & along the alley, ladders, building materials, misc debris from blvd & on side of property by Jan 29, 2019  
-there's a storage pod on the street, for which we have open complaints now due to people having to swerve around it & permit information for public right-of-way permit obstruction; an inspection is pending  
-there are 5 pages of complaints in STAMP going back to 2003  
-in 2017, we had a clean-up  
-in 2018, we did a clean-up & now again*

*Ms. Moermond: what are we looking at - some kind of storage container?*

*Ms. Martin: that's a storage pod, scrap wood, materials*

*Ms. Moermond: why are you appealing?*

*Ms. Lorvig-Boumanis: I'm not good at speaking; I've cleaned up everything except for 1 wood pile; I'm a carpenter & I'm getting into re-used wood; the pile is in my garden not visible from the street because I don't have a place to store it; the pod is leaving this coming Mon; I called them to come & get it; all the rest of the stuff has been cleaned-up;  
-when I lost my husband, the house went into foreclosure; then, there was a fire; I'm just on a Contract for Deed; then, my furnace blew & all the radiators \_\_\_; I concentrate on working on the inside, then the outside; it's up-side-down; I am at fault for all of this; it's a lot to manage with the state of my mental health; I also have 3 brain injuries that make it hard for me to keep my ducks in a row  
-introduced photos of the cleaned-up place*

*Ms. Martin: concern: the wood pile is not for her personal use; it's for her business - she builds things for other people*

*Ms. Lorvig-Boumanis: I am licensed to run my business out of my house; photos: this is the wood pile; there were 2 wood piles; 1 is gone; then, I have an area where I keep my business ladders; the metal piping is now gone; there's nothing back in the trash area*

*Ms. Martin: that, we would consider improperly stored*

*Ms. Moermond: construction materials can't be stored out of doors  
-I don't see anything in the system that says you can operate a business out of this location*

*Ms. Lorvig-Boumanis: I have the documentation for that but not with me*

*Ms. Moermond: regardless of whether you have a home occupation permit, you can't store construction materials out of doors; you said that you'd want to keep it there until Jun?*

*Ms. Lorvig-Boumanis: yes*

*Ms. Moermond: I think that you're going to have to find some place else to store it but*

*I will give you time to do that  
-everything by the pod is gone, that's good*

*Ms. Lorvig-Boumanis: the inside of my house is under construction; between my  
business & working on my house, it's a lot to deal with*

*Ms. Moermond:*

*Grant to April 1, 2019 for compliance.*

**Referred to the City Council due back on 3/6/2019**

- 28**    [RLH SAO 19-11](#)    Appeal of James Copenhaver to a Summary Abatement Order at 919 CLEAR AVENUE.

**Sponsors:**        Busuri

*Deny the appeal; no show.*

*On February 24, owner emailed and said he withdrew his appeal because he made  
arrangements with the inspector.*

**Withdrawn**

#### **Correction Orders**

#### **11:30 a.m. Hearings**

#### **Orders To Vacate, Condemnations and Revocations**

- 29**    [RLH VO 19-2](#)    Appeal of Arron King/Crystal Gullette to a Correction Notice - Re-Inspection Complaint at 341 ARBOR STREET.

**Sponsors:**        Noecker

*Crystal Gullette appeared.*

*Ms. Moermond: Ms. Gullette provided a copy of the Power of Attorney giving her  
permission to reside at the property  
-we will give copies to Fire Inspection  
-you are out of the Fire C of O Program  
-your appeal is granted*

*Grant the appeal.*

**Referred to the City Council due back on 3/6/2019**

#### **1:30 p.m. Hearings**

#### **Fire Certificates of Occupancy**



- 30**    **RLH FCO 19-15**            Appeal of Brad Cheney to a Fire Inspection Correction Notice at 20 EXCHANGE STREET EAST.
- Sponsors:            Noecker
- Brad Cheney appeared.*
- Fire Supervisor A.J. Neis: I did some follow-up checking & it's perfectly legal for them to have the delay as long it can be pushed open*  
          *-Supervisor Shaff went out there with Inspector Wheeler last week to check the doors; at that time, they did push open; as Ms. Shaff indicated, she deputized one of the occupants to try to push the door; it looks like he might have gotten them re-adjusted again; he provided some videos of occupants in wheel chairs opening those doors to a horizontal level; I reviewed both videos*
- Ms. Moermond: you have reviewed them & that sounds good to me; they open & that means that it's code compliant; I'll recommend that Council grants your appeal*
- Grant the appeal.*
- Referred to the City Council due back on 3/20/2019**

## 2:30 p.m. Hearings

### Vacant Building Registrations

- 31**    [RLH VBR 19-14](#)            Appeal of Dai Mui to a Vacant Building Registration Renewal Notice at 1152 BUSH AVENUE.
- Sponsors:            Prince
- DSI staff and owner have reached an agreement to delay billing by 2-3 weeks; house repairs are almost done.*
- Withdrawn**
- 32**    **RLH VBR 19-2**            Appeal of Stephanie Carr to a Vacant Building Registration Fee Warning Letter at 121 HATCH AVENUE.
- Sponsors:            Brendmoen
- Stephanie Carr, owner, appeared.*
- Ms. Moermond: this ended up in the VB Program because of a Revoked C of O*
- Fire Supervisor A.J. Neis: this is a Revocation of your Fire Certificate of Occupancy by Inspector George Niemeyer for long term noncompliance; photographs in the file; you can see the property was neglected with multiple code violations & could be some gross unsanitary conditions within the house*  
          *-not for lack of trying, Insp Niemeyer has very good documentation that he's attempted to make contact with the property owner; he showed up to the property multiple times & there were no answers; as a result, he Revoked the C of O and sent it over to the VB Program*

*Supervisor Rich Singerhouse, Vacant Buildings: Inspector Matt Dornfeld opened a Category 2 VB on Dec 4, 2018 after receiving a referral from Fire; I believe that Insp Dornfeld has talked with you a few times about appealing*

*Ms. Carr: I talked to someone else about appealing*

*Ms. Moermond: we had an appeal scheduled for Jan 15; you said to me last week in the hall that you ended up having to work that day & weren't able to make the hearing; we didn't have any communication from you, so we didn't know what was going on*

*Ms. Carr: I just didn't know how it all worked; I was about to give up but I didn't understand how his cancelling on me twice during this time (I have messages on my phone) led to him not being able to access the property*

*Ms. Moermond: here's what I'm at with this; your C of O got Revoked last fall; I think a couple of letters went out under the title of being a Revocation*

*Mr. Neis: to clarify, she is correct in that regard; on Mar 20, 2018, she received a voice mail from David Smith that the inspection had been cancelled because George Niemeyer was out of the office; so, in fairness to her about saying he had no access, I also wanted to let you know that the inspector cancelled, so it's a fair documentation of the file*

*Ms. Carr: there were also 2 more cancellations after that*

*Mr. Neis: on May 10, received an email requesting a date change; on Aug 20, Mr. Niemeyer did go there but then again it looks like on Sep 18, left message for appointment for responsible party that I cancelled the inspection because George Niemeyer was out of the office; this happened again in Oct*

*Ms. Moermond: tell me what happened on Sep 18*

*Mr. Neis: on Sep 18, the property manager received notification to cancel the inspection because Inspector Niemeyer was out of the office; the same thing again in Oct; so, there was a bit of back & forth*

*Ms. Moermond: when were inspections conducted?*

*Mr. Neis: without the re-schedules, it's hard to say when the actual full inspections were conducted; the inspection done in Oct.....*

*Ms. Moermond: I see an Aug 20 inspection (Mr. Neis: I want to verify that was completed)*

*-I'm also wondering what happened with Nov 30?*

*Mr. Neis: the Oct 30 inspection - still numerous violations; I'm not going to dispute that the inspector was in & out of the office multiple times making it inconvenient for him to gain access to the property, which also could be difficult for the property representative; however, on the flip side, the property owner had Notice since Apr to fix all of these things*

*Ms. Moermond: tell me what happened on Nov 30; I have an Oct 30 letter indicating a re-inspection will be made on Nov 30*

*Mr. Neis: the letter was sent Oct 30 but the inspection actually happened on Aug 20  
-Inspector's notes: an inspection was made on Nov 30; representative not present for inspection; there was a contractor in the back yard who was working on the garage, who stated that he was there to let me into the property; some items have been taken care of; there were new items added to the deficiency list; house is vacant; transferring to VB - George Niemeyer*

*Ms. Moermond: Ms. Carr, you had said there were some cancellations*

*Ms. Carr: I cancelled 1 time; I asked for an extension for the roof & the siding because of inclement weather; I also had 2 other bldgs that were empty & I was having financial & labor difficulties spread between the 3 properties; I explained to him that I was having difficulties getting good people there; I asked for an extension & he did show up the next day; towards the end, I was having difficulty getting the tenants out; they weren't leaving easily; they left two 40-yd dumpsters plus several truck loads of stuff; new damage was also found  
-I was told that Inspector Niemeyer walked into the property, looked around & said that he was going to turn it over to the Vacant Housing Dept; then, he walked back out*

*Ms. Moermond: I have a letter in my hand that was sent at the end of Oct saying that the C of O was going to be Revoked unless these things were done by Nov 30; the letter has a paragraph in it saying that this can be appealed; I didn't see you then, which tells me that you agreed with the Orders*

*Ms. Carr: I didn't understand; we were trying to get everything completed; I didn't understand why it went there; I was ready to give up because....*

*Ms. Moermond: and you did appeal the VB Registration*

*Ms. Carr: right; I don't want to re-rent; this is my situation; I do not want a new tenant in there & I explained this to George & to the other.... I just wanted to get an inspection done so that I could have my nephew, my property manager's son, stay in the bldg because whenever you have a vacant bldg, stuff happens; I'm trying to sell the property..... so.. and I did explain that all along; I'm trying to work my way back out of this; I don't have the time or the finances for it anymore; I'm getting rid of everything*

*Ms. Moermond: is anybody there now?*

*Ms. Carr: no; the only people going in during the day are painters & snow/ice removers -I'm putting it on the market as soon as I can*

*Ms. Moermond: the idea of putting something back in the house without having a C of O is not OK*

*Ms. Carr: that's fine*

*Ms. Moermond: we are trying to figure out a path for getting you out of the VB Program & I was talking about a "Building Only" code compliance inspection because these are, basically, bldg items except for dryer venting*

*Ms. Carr: we just changed the material used; & permits were pulled for the roof*

*Ms. Moermond: these are basic bldg items so, we'll put a note in the system that she qualifies to have a "Building Only" code compl done; it's a cheaper inspection & not as*

*broad; what I'm seeing is basically, deferred maintenance & bldg related items  
-gave her an application for a code compl insp*

*Mr. Singerhouse: the warning letter went out Jan 7, 2019; it hasn't been assessed*

*Ms. Moermond: we'll let the VB fee go thru as an assessment; put a note in the file,  
Rich, so she can pull permits & get the inspection report without having the VB fee  
paid; then, we can look at prorating it when she gets it done more quickly*

—————  
*Deny the appeal and let VB fee go to assessment; apply for a "building only"  
inspection.*

**Referred to the City Council due back on 3/20/2019**