



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Meeting Minutes - Action Only

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*

*Mai Vang, Hearing Coordinator*

*legislativehearings@ci.stpaul.mn.us*

*651-266-8585*

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Tuesday, May 28, 2019

9:00 AM

Room 330 City Hall & Court House

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

#### Remove/Repair Orders

- 1     **RLH RR 19-18**     Ordering the rehabilitation or razing and removal of the structures at 530 GERANIUM AVENUE EAST within fifteen (15) days after the May 8, 2019 City Council public hearing. (Amend to remove within 15 days)

Sponsors:     Brendmoen

*The following conditions must be met by June 19:*

1. *provide a work plan, including timelines, for the rehab;*
2. *provide general and subcontractors bids;*
3. *provide financial documentation (a line of credit, sworn construction loan or a bank statement) dedicating the funds to be set aside for the project;*
4. *post the \$5,000 performance deposit; and*
5. *maintain the property.*

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*Abdi Omar, brother of owner Luul Omar, appeared.*

*Moermond:*

*For clarity's sake, I was operating, at the last hearing, under the impression that you are Luul Omar. But you are not. We said the owner was Luul Omar and you stepped forward. Your name is Abdi Omar. So, you are acting on behalf of your sister who is the actual owner?*

*Abdi Omar:*

*[inaudible]*

*Moermond:*

*OK. And you came last time. I know she paid the taxes on this. I am wondering, if you are actin on her behalf, do you have a power of attorney?*

*Omar:*

*I do, I just don't have it with me right now.*

Moermond:

OK. When we sent you a letter on May 8. It was after the Public Hearing and we were looking...the Public Hearing was May 8. At that time, for payment of property taxes or Confession of Judgment. Your sister entered into a Confession of Judgment with the County. The other items were unaddressed at that time. Mr. Magner, do you have that letter handy?

Steve Magner, Staff:

Yes. So, on May 8, 2019, a letter was sent out to the two owners.

"This is to confirm that on May 8, 2019 at the City Council Public Hearing, Marcia Moermond has asked the City Council to refer the matter back to Legislative Hearing on Tuesday, May 28, 2019 at 9:00 a.m. in Room 330 City Hall. Below are the conditions required of you in order for Ms. Moermond to grant time for the rehabilitation of the structure:

1. pay the delinquent property taxes or provide a Confession of Judgment"

Moermond:

We do have the confession.

Magner:

The taxes are not paid in full.

Moermond:

Right. They brought the Confession with them to the Public Hearing.

Magner:

2. provide a work plan, including timelines, for the rehabilitation

Moermond:

We have no work plan. Do we have a work plan?

Omar:

Yeah. I do have a contractor. But he [inaudible] so he knows what he is doing.

Magner:

3. provide general and subcontractors bids
4. provide financial documentation (a line of credit, sworn construction statement, a loan or a bank statement) dedicating the funds to be set aside for the project

Moermond:

Do you have any money?

Omar:

Luul has it; I don't.

Magner:

5. apply for a new Code Compliance inspection.

That application was received on May 14.

6. post the \$5,000 performance deposit

As of today, it's not in the system.

7. maintain the property.

Moermond:

So, the Code Compliance Inspection was applied for. Has the inspection occurred yet?

Magner:

No. I will pull that back up. The last time the City performed any work out there was February 27.

Moermond:

Why did it take you to May 14 to apply for the Code Compliance Inspection?

Omar:

[inaudible] check the City and I work and [inaudible] like today, I told them I took the day off to come in. I work from like 6AM to 5PM [inaudible]. Because Luul, last time we were here, the week before that she had a baby and it's hard, she has two other babies [inaudible] it's hard for her to come to a hearing [inaudible] come to St Paul and drive and do that. [inaudible] my job [inaudible] wait see.

Moermond:

But, a lot of people apply for this through the mail.

Omar:

Probably, but [inaudible] always I go to the City. DSI. I fill the application there and I pay for it.

Moermond:

You have known you needed to apply for this inspection report since it became a Category 2 Vacant Building. Which would be years and years ago.

Moermond:

Where are you at with posting a \$5000 performance deposit?

Omar:

Um, Luul pay for that. That's not a problem.

Moermond:

Luul's not here.

Omar:

Yes and I can promise you we have the money to pay for that. The money for the \$5000 and also can show the money that [inaudible] the house. The only thing that is in the way is that the contractor who said he would give me the bid to rehabilitate the home, unless the City [inaudible] and sees what [inaudible] is dealing with, he gave me an estimate because he wants to see all the paper that the City requires, what we need to do [inaudible]

Moermond:

Mr. Magner, how old is the previous Code Compliance?

*Magner:*  
*'16.*

*Moermond:*  
*Have you shared with your contractor the previous Code Compliance, from 2016?*

*Omar:*  
*Yeah, I showed it to him and I also told him that [inaudible] and he said that can change.*

*Moermond:*  
*It can.*

*Magner:*  
*Should be able to get pretty close with the previous one. Should have been able to do a walk through, look at that and then, from there, could have just taken the amended one and then just updated anything else [inaudible]. It's not like he's handwriting all this stuff out. I mean, he's got to write it out, put it on his computer and then have the subcontractors bid everything and if there's a change, just give it as a change order to it.*

*To answer your question Ms. Moermond, it looks like Mr. Seeger was out on the 15th, sent a correction letter on the 16th, electrical did it on the 15th, plumbing did it on the 21st, so mechanical is left to do it.*

*Moermond:*  
*You estimate to rehab the place is, what? In excess of \$50,000 is what you guys came up with. On June 19, I will put this in front of Council for public hearing. At that time, you need to meet all the conditions. I would be happy to look at the case again on the 11th. I expect you will be getting your Compliance Inspection report in the mail shortly.*

*Omar:*

*OK. [inaudible] get the estimate and [inaudible] response letter. [inaudible] I just gotta get that report from the City [inaudible]*

*Moermond:*  
*Well, you haven't so far and neither has your sister, more importantly. I would like to see evidence that you have accepted whatever bid you've gotten. Your sister would need to be the signature on that. Or, if you have your power of attorney that you share, then I can look at yours as well as being acceptable. I will not, on June 19th, ask the Council to lay the matter over again. I feel there are steps you could have taken that you could have taken. Your sister is not even here and it's more than an hour past when the hearing was scheduled to begin.*

*You will get a letter confirming these things. Do we have an email address for your sister?*

*Omar:*  
*I can write one down.*

*Moermond:*  
*You are Capetown Development, right?*

Omar:  
*[inaudible] finances.*

Moermond:  
*I want proof in terms of account balances and in terms of a letter saying the funds will be dedicated towards the rehabilitation.*

Omar:  
*[inaudible]*

Moermond:  
*Whose money are we talking about?*

Omar:  
*We are talking about hers.*

Moermond:  
*Luul's bank statement is evidence that there is money, then a letter from her saying she is going to dedicate the amount your contractor bids to the project.*

**Referred to the City Council due back on 6/19/2019**

**2**      [RLH RR 19-5](#)

Ordering the rehabilitation or razing and removal of the structures at 718 ORANGE AVENUE EAST within fifteen (15) days after the March 13, 2019 City Council public hearing. (To be referred to Legislative Hearing on May 28)

**Sponsors:**      Busuri

*Layover to June 25.*

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*Steve Magner, Staff:*  
*On 718 Orange, there was a letter that went out on March 29, 2019, to [inaudible], Jay Nord, and Donna Korbo. This is to confirm that on March 26, 2019, Legislative Hearing, Marcia Moermond, Legislative hearing Officer recommended that on April 10, 2019, City Council Public Hearing, she asked to Council to [inaudible] to May 28, 2019, [inaudible] discussion. [inaudible] to apply for a Code Compliance Inspection. [inaudible] performance deposit [inaudible] May 28, 2019.*

*And then there was a number of emails sent out, the primary genesis of these emails was about when the County put a lockbox on the property, they failed to also remove a screw that was securing it and it was my understanding, after speaking with Mr. Seeger, that he went out there, actually on three separate occasions, trying to access the property. Each one, finding that he could access the lockbox, but the screw was still in the doorframe so they weren't able to open the door. So, that has now pushed the Code Compliance back. They can do it, I guess, now. But we don't have that information, and then based on the parties asked there would be more time given. In communication that you had, do you want me to read the most recent email?*

Moermond:  
*Yes.*

Magner:  
*"Donna, Kristine and Jay –*

*It is a disappointment that access was not provided to this property. It looks like the code compliance inspection application was received on April 1st. I had already made a request to expedite the inspection following our March 26th hearing. I counted at least a half a dozen times various inspectors attempted to access the property, which shows a good faith effort to execute the code compliance inspection in a timely fashion.*

*The expectation was that there would be draft plans for the May 28th hearing. It is clear specific plans can't be developed without the inspection report. However, we know that a lot of contractors are very familiar with code compliance inspection reports and could develop bids which would be subject to modification when the report comes out.*

*I don't think there is any option but to lay over this case at this point, so I will lay this over from Tuesday May 28th to Tuesday June 25th at 9 a.m. with these expectations:*

- 1) the \$5,000 performance deposit should be posted before June 25th;*
- 2) a schedule which takes us from today through the completion of the project will need to be reviewed at the hearing. This should include the timing of County Board consideration of the sale, title transfer, execution of the various aspects of the rehab.; etc.*
- 3) evidence of at least \$50,000 to rehabilitate the property. I'm using this figure as a low estimate, pending the development of contractor bids, which should be forthcoming, if not by June 25th, shortly thereafter. Final evidence of financing will need to show sufficient funds to cover the bids.*
- 4) Ideally, final contractor bids for the work outlined in the inspection report would be ready by June 25th, but I want to give a little elbow room between the completion of that report and getting all the bids finalized – in case it's needed.*

*See you all on June 25th.*

*Marcia"*

*Moermond:*

*So, it's laid over until June 25th and we have that in the record.*

**Laid Over to the Legislative Hearings due back on 6/25/2019**

**3 RLH RR 19-19**

Ordering the rehabilitation or razing and removal of the structures at 957 PROSPERITY AVENUE within fifteen (15) days after the June 26, 2019, City Council Public Hearing.

**Sponsors:** Busuri

*Layover to June 25 Legislative Hearing and Public Hearing on June 26 for the following conditions:*

- 1. a sworn construction statement, including subcontractor information and timelines, for making the repairs;*
- 2. provide financial documentation (a line of credit, sworn construction loan, or a bank account);*
- 3. if it's personal bank account(s), need to provide an affidavit indicating the amount of funds will be set aside for the repairs of this property (if there are two accounts, need to see the breakdown from each account);*

4. provided a contractual agreement which must stipulate that the purchaser will be undertaking the rehabilitation of the property while the property is still owned by Wei Zhu & Julia Q. Zhao, in order to be in compliance with City Codes pertaining to the transfer of nuisance/dangerous properties;
5. if Wei Zhu and Julia Q Zhao are not the signatories on the agreement, power(s) of attorney must be provided;
6. provide a contractual agreement between the purchaser and contractor; and
7. maintain the property.

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Jintu Wang, husband of owner Julia Q. Zhao; John Anderson, architect; Abdul Mohamed, general contractor; Adam Abdirahman, buyer; Chuck Repke, District 2 Council, appeared.

Steve Magner, Staff:

The building is a two story wood frame, three unit dwelling with a detached three stall garage, on a lot of 9148 square feet. According to our files, it has been vacant since July 3, 2018, as a result of a fire. The owner is Wei Zhu.

Jintu Wang:

Wei Zhu is a friend. She is one of the owner. In our family and we have another one. We have three.

Moermond:

You have two listed.

Jintu Wang:

[inaudible] and Julia and Wei Zhu. Julia is my wife.

Magner:

Julia Q. Zhao, per Ramsey County records. On February 20, 2019, an inspection of the building was conducted. A list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An Order To Abate a Nuisance Building was posted on March 15, 2019, with a compliance date of April 14, 2019. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.

Taxation has placed an estimated market value of \$28,400 on the land and \$311,300 on the building. Real estate taxes are current. The Vacant Building Registration Fees were paid by assessment on October 31, 2018. A team inspection was done on April 4, 2019. The \$5000 performance deposit was submitted on March 20, 2019. There have been ten Summary Abatement Notices since 2018. There have been two Work Orders issued for garbage/rubbish and boarding/securing.

Code Enforcement Officers estimate the cost to repair this structure is between \$75,000 and \$100,000. The estimated cost to demolish would start around \$15,000.

Moermond:

I probably should have started with this, but let me go here right now. What is your name, sir?

Jintu Wang:

My name is Jintu Wang. I am the husband of Julia. We are one of the owner.

Moermond:

I am going to ask all of you to sign in on the clipboard so we have all your emails and addresses.

Moermond:

Who is Wei Zhu?

Jintu Wang:

Wei Zhu is...Ok, our partner. She is California right now.

Moermond:

Why is her mailing address your address?

Wang:

Because when we do this [inaudible]

Moermond:

Do you have her mailing address? And email address with you today?

Wang:

Ya, ya.

Moermond:

I am going to ask that you put on the sign in sheet her information. It is important that we be able to directly contact everyone in an ownership position. Right now, I don't see that you are in an ownership position. I see that your wife's name is on the property, not your name. I'm comfortable...you're married, but I don't know that you are acting on behalf of the other partner and I don't see your wife here so I could use some documentation that you are representing their interests, with their permission.

Wang:

I have [inaudible] for they to authorize me. We have documents from attorney, so.

Moermond:

OK. I can see that your English is pretty good. With me and foreign languages, my comprehension is always better than how I speak. But I am wondering, would you like to have an interpreter for these hearings?

Wang:

[inaudible] I'm OK.

Moermond:

I understand you. It's your decision...

Wang:

Fine. You don't need a ...

Moermond:

If you change your mind, we can get someone on the phone.

Wang:

Sure. Sure.

Moermond:



*And what is your name, sir?*

*John Anderson:  
My name is John Anderson.*

*Moermond:  
And you are the architect?*

*Anderson:  
Yeah.*

*Moermond:  
And your name, sir?*

*Abdul Mohammed?  
My name Abdul Mohamed. I'm the general contractor.*

*Moermond:  
And this is Mr. Chuck Repke. Are you here representing the District Council?*

*Chuck Repke:  
District 2*

*Moermond:  
What I am looking at is a house that had a fire. The Fire Department has a damage estimate of \$75,000. The department is telling me it's going to cost \$75,000 to \$100,000 to fix it. We are not quite a year out, we are about 10 ½ months out from the fire. I see that you have an inspection report in place. Can you tell me a little bit about what the plans are for this building?*

*Anderson:  
We have verified the existing conditions over there. And developed construction documents. The intent is to simply rehabilitate it. Its bones are pretty good; most of the damage has been in the truss, roof area, which, because of engineered components, can be fairly easily replaced.*

*The compliance letter dated April 4 lists about 20 bullet points that needs to be taken care of. We have addressed all of those in a letter of intent of what we intend to do. The response to the compliance letter, as well as the working drawings, the construction drawings. Basically, the intent is to rebuild what is there. A lot of the damage is also in the front, the deck and the porches there. Stairs and railings need to be rebuilt. Kitchens are...a lot of smoke damage to interior finishes, flooring, trim, doors cabinetry. Probably fixtures all have to be replaced.*

*Moermond:  
So, you have a letter of intent.*

*Anderson:  
It's basically just a response to the letter...*

*Moermond:  
A response...as in how you are going to execute the things that are in it?*

*Anderson:*

Yes.

Moermond:

*That makes sense. How long do you think it's going to take for this project? I suppose that's a general contractor question.*

Anderson:

*I know we are limited to 180 days. I think that's well within...practical means to do.*

Abdul Mohamed:

*I think that's approximate, that's what we looking to do the entire project.*

Anderson:

*The bulk of the work, once we get the roof sealed up again, and the front porches and decks done, the work is actually indoors. So, if we get started this summer, we get into the colder months, that shouldn't be a problem because the interior [inaudible]*

Mohamed:

*Actually, we put the tarp on the roof right now just put the tarp so all the rain won't come in.*

Anderson:

*Kinda limit any more damage.*

Mohamed:

*Limit any more.*

Anderson:

*Damage from the rain. Actually did one of the stipulations that the City sent out, to have a structural engineer develop a report on what's there. And, even though we don't need to have that done yet, we had it done a couple of weeks ago. And there's very little structural damage out there, which is good. Obviously, the roof trusses and things like that that are burned have to be replaced, but the [inaudible] report was positive.*

Moermond:

*We will come back and talk in just a little bit. Mr. Repke, you made a trip down to City Hall. What did you want to say on the neighborhood's behalf?*

Chuck Repke:

*We want it knocked down. It's terrible. They've slid it, they've let it sit there since July. They haven't done a d\*\*\*ed thing. It's been awful. The industrial building across the street from that complains that they are having difficulty showing their property because these guys have left this thing, this repair, for a year. I have no idea what when on with insurance when somebody gets a fire but to go the entire season, last season, without doing anything on the property doesn't give me great comfort that he is going to actually deliver on paying this letter of intent to the contractor and actually getting the work to begin. So, when you give them 180 days, my guess is they don't do a d\*\*\* thing for 180 days and are back here in 179 days looking for extensions. We have a great deal of concern about the legitimacy of this ownership group, that people can't get in contact with them. They haven't done anything with the property for almost a year.*

Wang:

*Can I say something?*

*Moermond:*

*Sure.*

*Wang:*

*Let me tell the situation ok we have fire on the June 26 last year. So, after that we got City permit to demolish it. Ok that's taken pretty longer so. After that because it's the winter come so we have no electricity and no water there [inaudible] could not finish it on time its schedule. And when the inspector sent us the letter to [inaudible] category 2 so we are able to fix that ourselves. [inaudible] this year the City required I pay all the money according to the repair of [inaudible] Then on February 14, we missed he meeting with the inspector and he [inaudible] and we couldn't do anything. I went to the City and said we are going to repair it and finally [inaudible] property [inaudible] and we already on the March already [inaudible] lawyer to have contract [inaudible] they actually went to the City and tried to fix it as soon as possible two months ago, ok, [inaudible] until the hearing. That's why, so. We got the hearing and finish this. The new owner, we will transfer that. The title and [inaudible] fast because they have to order resource. It's another [inaudible], like the City said, we were not [inaudible] repair or restore this [inaudible] also have the tenants [inaudible]. Because you said the company across street [inaudible] unreasonable. That's what I say.*

*Moermond:*

*What I hear is that there was a fire beginning in July.*

*Wang:*

*June.*

*Moermond:*

*July 3 was when the Vacant Building Program began, I'm sorry. The actual fire was June 26, 2018. I know that the City automatically gives a 90 day waiver on the Vacant Building fee, to get things going. I hear you say you were trying to take steps to fix things up but, from the very beginning, it has been crystal clear in all of the documents that the City sent, that you get a Compliance Inspection Report, Fire C of O Inspection, that Mr. Anderson is referring to. And that wasn't actually done until April 4 and so, even though you are saying you were trying to do things, the very first thing that you needed to do, whether it was a Category 2 or a Category 3 building, was to get that inspection report to be able to have something to work off of. Seeing that just happened a little over a month ago, no, I'm not seeing that you've demonstrated that you have been active in trying to work on this problem. Also, you were active in trying to sell this problem to somebody else and I do have to reiterate, I do not understand what the ownership situation is. I'm not understanding who is signing the contract with whom here. I got an architect and a contractor and, who is paying you?*

*Do you want to pull up a chair? What is your name, sir?*

*Adam Abdi:*

*Adam Abdi.*

*Moermond:*

*Mr. Abdi, what do you have to contribute.*

*Adam Abdi:*

*I have a [inaudible] We have a deal that I would fix up the house and invest it and he*

can transfer me the title. After that. Then I have hired the contractor and the architector [sic] and I have enough funds to fix it up, that house.

Moermond:

So, you are fixing it and the title will transfer after it is completely fixed.

Abdi:

After completely fix it up, yes.

Mohamed:

So, my understand that the title cannot transfer until the house is fixed.

Moermond:

That's correct.

Mohamed:

So, Mr. Abdi is, Mr. Wang, they have a deal. He sold him the house, contract of deed. Right now. But he cannot transfer the title until the house fixed and complied and everything and the City and everything satisfied and after that, Adam will have the title for the house. So, right now, Adam have a contract of deed for the house, he hired me as a general contractor [inaudible] to do the job and he have the fund and he have all the resources and everything to make it habitable. That's why we here. All of us.

Moermond:

I going to give Mr. Magner an opportunity.

Magner:

I guess what they are proposing is what we see from time to time is that a third party coming in to pay for the rehabilitation and to facilitate the rehabilitation with a fiat from the existing owner. And they can contractually do that. Then after the Code Compliance, [inaudible], they are free to transfer the title and do what they want to. This is a [inaudible] but it does beg the question that Mr. Repke brought up, is what happened with the insurance. Because in this case, the ownership group has taken that money and decided not to manage their property. And in turn, they are turning it over to a third party who is going to rehabilitate, pay for it, and then buy out the rest of the interest. I don't know if that...I guess it's just a concern that we have, that the contract is clear that this third party is going to do that, that we have to see that, like we would with any other case, before we move forward. See the contract and the monies available for the rehabilitation. And then the bids and estimates from the contractor that's been hired.

Anderson:

We have all that today here.

Abdi:

We have all that.

Mohamed:

We have all that here. We have the bids and we have the contract and we have the fund from the bank statement to do the job. We have everything. We have insurance; we have a license and everything.

Moermond:

Do you have copies for me?

Mohamed:  
Yes.

Moermond:  
Where is your contract?

Abdi:  
The seller contract, we have contract of deed.

Moermond:  
That is not sufficient.

Mohamed:  
The house cannot sell until the Code Compliant.

Moermond:  
If you are buying this property and doing the work on the property while it is not in your ownership, there needs to be an agreement between you and the seller saying you will be undertaking this and that you understand that title will not transfer until the work is complete. The contract for deed may or may not have clauses that cover that. A separate contract may need to be drafted. All these contracts are subject to City approval because we would be acting outside of our regular code requirements to be able to have you, a non-owner at this point in time, begin the rehab process. I also don't know when you signed your contract for deed. When was that?

Wang:  
March 28.

Abdi:  
March 28.

Mohamed:  
I think the contract for deed say the house cannot be transferred until the house be done for the City and the title cannot transfer.

Moermond:  
Right. And the owner needs to be understanding that there is going to be money spent in rehab work done on the property and that this is a part of a larger arrangement.

Wang:  
That's why we [inaudible] sell the buys as soon as possible. We went to the City. City said no you can't do that until after the hearing. That's why we are holding onto until your approve.

Moermond:  
We are going to take five minutes for me to look this information over and Mr. Magner needs to look it over as well.

[hearing is paused for document review]

Having looked over the documents, I have a couple of comments and some things I need to see. I will ask Mr. Magner to add things that he is looking for. We need to know who is signing on behalf of the ownership. Right now, the City and Ramsey

County have Wei Zhu and Julia Zhao as the owners of the property. Not you. We need to see their names.

Wang:  
We have power [inaudible]

Moermond:  
I don't have that; I am just saying I need to have documentation.

Wang:  
We get you that today.

Moermond:  
Great. We need to see a contractual agreement between the sellers and the buyer or the buyers that indicates that there is a complete understanding that the buyer will be spending money on this project before taking title. There is some risk in that and there should be full disclosure. You guys are undertaking this. Go ahead and run a draft agreement by us and we will let you know if something is missing. I would also look for an agreement between the buyer and your contractor. Right now I have a bid, between the two of you. You also would be acting, rehabbing a place that your person you are contracting with does not own. Some of the ways you can collect money for failure to pay are no longer in play.

Mohamed:  
[inaudible]

Moermond:  
You want to...I want to know for sure what your agreement is between you guys. One thing noticeable that I want to follow up on, you are Adam Abdi?

Abdi:  
Es.

Moermond:  
Is your full name Adam Abdirahman?

Abdi:  
Yes. Abdi is short name for Abdirahman.

Moermond:  
Right. I just want to be clear. Some of your stuff says one and some says the full. I saw another name on the account, Uba Abdi.

Abdi:  
That is my wife.

Moermond;  
Your wife. And Ansa LLC? You are the owner of the LLC and the other partners of the LLC...you are the LLC.

Abdi:  
Yes. I can provide you that documentation.

Moermond:

*No, that's great. I just wanted to be clear that I have all the right parties involved. If you are it, then we do. Looking at this, I could use a schedule and a sworn construction statement. A schedule with a higher level of detail than 180 days. I don't need to know every week what your individual activities are going to be, but I do need to see how you are going to get this accomplished within...*

*Mohamed:  
Executed.*

*Moermond:  
Yeah. So when Mr. Repke calls up and says they aren't doing anything, I can look at the work plan and say they should have finished their plumbing rough ins at this point and have the roof closed in and so I can ask the building inspector and plumbing inspector where things are at and make sure we are on target for where we want to be.*

*Mohamed:  
So what is schedule, you tell me.*

*Moermond:  
Some level of detail that would allow for measurement of progress. Just so you know exactly who is picking up the phone and "they're not doing it." I'm on it. I am looking at it. Because I am considering this a commitment on your behalf, too, to get this done in the time that's allotted.*

*The money you have shown would take care of the cost of the rehab. One account showed \$204,000 in it and another had \$228,000 in it. That definitely covers the bid of \$225,000. What I would need to see though, is I am looking at a personal account and I am looking at a business account and both of the nature of those accounts is that they are not specific to this property. A construction loan would be just for this property. If you are going to be spending money from accounts that are used for many different things, I would be looking for affidavit that you would be spending the necessary funds from these accounts and I would like a breakdown, like I am going to be spending \$175,000 out of this account and I plan on spending another \$40,000 or \$50,000 out of that account. And that's how you are going to manage the process, just so we have a sense that...you've shown me you have money. That's fantastic. Telling me that you are going to be spending the money is the next step.*

*Abdi:  
Yes.*

*Moermond:  
That's what I have right now. Mr. Magner, what do you have? In addition to that?*

*Magner:  
I think [inaudible] how the contract plays out.*

*Moermond:  
Very last piece. I am not sure who is going to be responsible on the ground for ensuring the property is maintained. I see that there have been 10 Summary Abatement processes in the past year, two of which have led to work orders, one for garbage and rubbish, the other to secure the building. That could be a lot worse. What I would like is for you guys to have a shared understanding moving forward on who's going to be mowing the lawn, who's going to be making sure construction materials aren't laying all over the place. Who's going to pick up the mattress that*

gets dumped on the property. When these properties get to this point, they are under the microscope and it is salt in the wound to have it be even worse as things progress. It has happened with private owners; it's happened with non-profit owners. In all cases, I go after people with...well, I can be a cranky person.

Mohamed:

Any construction thing, we will be responsible to make sure of the debris not laying [inaudible] you know. All the [inaudible] not go in the sewer, you know. Comply all the codes. Any other thing, if the neighbor throwed some mattress that Adam will take care. We do have place where they throw a lot of trash over there. We provide a dumpster. We can everything beyond my scale I pledge the honor to make sure.

Moermond:

And lawn mowing?

Mohamed:

Lawn mowing, he will be responsible. But I will be responsible all the construction.

Moermond:

Hopefully, it won't start snowing while we are talking about his, but in case, it must be cleared away within 24 hours. That's what the local code requires.

Abdi:

The snow is coming today?

Moermond:

I think we should plan for it.

Mohamed:

We finish before the snow, you know. Don't want to wait.

Moermond:

This goes before the City Council June 26. I am going to ask that you submit those documents, as you get them, to Ms. Vang. I will go through and make sure everything is in place on June 25. We can let you know by email and I will just put it on the record. If there is any problems at all, we will let you know as we get information if it does or does not cover what it is supposed to.

Anderson:

So we are emailing to Ms. Vang?

Moermond:

Yes. We will send you a summary letter within a couple of days, containing what we are looking for. And we will copy Mr. Repke as well, throughout, on the correspondence. Anybody who shows up for these hearings, that is what our practice is, we are all having this conversation right now. You will be getting me the POA, the financials, all the other stuff we talked about.

Abdi:

Do you have address we send it?

Moermond:

There's business cards right there.



Anderson:

Once the City Council approves it, will it be OK to submit for permit? Or can we submit for building permit before that?

Moermond:

You won't be issued a permit until you get a green light.

Anderson:

Mr. Repke, you grouped us all together in your comments. We haven't all let that building sit for a year. Adam contacted me in April, just before Compliance came out and we've been diligent in moving forward to make the property better, OK? And it is our intention to bring that building back to its former condition. And get rid of the blight that is there right now.

Repke:

When I made the comments, you hadn't even acknowledged that you were working for Adam at that point. It appeared you were still working for [inaudible]so, I have concern about just how that was addressed today, too.

Mohamed:

I have question. When is that 180 days gonna start? When the [inaudible]?

Moermond:

When the Council votes. Let's see that work plan and see if we can't move forward. If we don't get it together, we will be having another conversation and I would say, if it's not looking good, plan on being here on the 25th and we can talk more.

Anderson:

If all the documents are received in a timely manner, would you be giving us a positive recommendation?

Moermond:

Yes.

Anderson:

Awesome.

**Referred to the City Council due back on 6/26/2019**

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 4 RLH SAO** Appeal of Christopher Kelley to a Summary Abatement Order and Vehicle  
**19-34** Abatement Order at 1400 BRADLEY STREET.

**Sponsors:** Brendmoen

Grant to June 21, 2019 for compliance.

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Christopher Kelley appeared:

Lisa Martin, Staff:

*..Date/Time of 1st LH: Tuesday, May 28, 2019, 11:00 a.m.*

*..Purpose of Appeal: Abatements? Requesting more time: 1 month to 1-1/2 months*

*..Date of Order(s) Under Appeal: May 9 for both*

*..Inspector/Key Staff: Paula Seeley*

*..Legislative Hearing Staff Comments: Appellant will pay \$25 fee by 4:30 p.m. on Friday, May 17*

*It looks like a Summary Abatement order was issued on May 9 to Fred Kelley.*

*Moermond:*

*Is Fred a relative?*

*Christopher Kelley:*

*Father.*

*Martin:*

*And also to the occupant. It says in the abatement improper storage, debris throughout the yard, several lawn mowers, motor oil, bucket, tanks, all improper storage under tarps in the back yard. Compliance is for May 17. There are photos in the system. There is also a vehicle abatement order as well. The vehicle is a trailer and it looks like possibly a commercial vehicle, a white ford, as well, illegally parked in a residential zoning district. Again, compliance date on that was May 17. Also mailed to Fred Kelley and the occupant at this location.*

*Looking at the STAMP history here, it looks like this goes back quite a ways. There have been many orders sent to the property owner and as you can see from the photos, I believe. Mr. Kelley is asking for more time, 1 ½ months. I am not sure if that's going to resolve this or not, but here we are.*

*Moermond:*

*So, Mr. Kelley, what's going on? Is this your stuff in your father's yard?*

*Kelley:*

*[inaudible] would have been all gone; I was in the hospital last year. [inaudible] couldn't do anything about it. [inaudible] ain't much; I ain't complaining, I just need a bit more time to clean it up. Half of the stuff is gone already. And that van, I just got a question about that van, what constitutes a commercial vehicle? It's just...mine. [inaudible] anyways, but...*

*Moermond:*

*It is the size of the vehicle. Ms. Martin, how does the department define this when you are out there in the field?*

*Martin:*

*Usually it is the weight of the vehicle. If there's a commercial plate on it, I think. I would say, this is not my property, I haven't been here but it looks to me like there's so much stuff in this yard. We have boats, we have trailers; it looks like a white van, possibly. It doesn't look like it's approved parking spaces on this property. Again, we wouldn't allow any type of parking in the yard, at all. Any boat, trailer, would have to be removed from the property.*

*Kelley:*

*Half of it's gone already. The white van in the backyard I was gonna use...the house is going up for sale this summer, so this is all gone anyways. Just [inaudible] as*

*much as I can and [inaudible] can't do anything with the snow and the rain, but that van, in the backyard...*

*Moermond:  
Yes, you can.*

*Kelley:  
When it's raining?*

*Moermond:  
Yeah, you can. You get wet.*

*Kelley:  
I guess.*

*Moermond:  
If it's snowing, it's Minnesota. It snows.*

*Kelley:  
I know but if it's terrible [inaudible] and snow up north, you can't get in, you know, not arguing, I'm just saying, I'm going to move it anyways. It's all gone anyways.*

*Moermond:  
Good.*

*Kelley:  
Not arguing, just got a lot of stuff there. That's all. The van in the backyard is what I was going to paint the house with. Instead of a ladder. Well, once that's gone, it's gone. Trailers, boats, gonna be gone, just need a little more time. Don't want to tear up the grass because then I have to replace the sod.*

*Moermond:  
I'm thinking it's probably not in great condition to begin with. Well, the order was issued May 9 and the deadline they gave you was May 17. You are asking for four to six weeks.*

*Kelley:  
Just to be on the safe side. [inaudible] I'm not going to push it that long. I guess I didn't know that van was a commercial vehicle. It was a box truck.*

*Moermond:  
Well, now you do.*

*Kelley:  
Yes...so, now there's one in the neighborhood. Can I just park it in the street? For the time being?*

*Martin:  
You can park it in the street as long as it has current tabs. But if it is a commercial vehicle, it can't be in a residential neighborhood.*

*Kelley:  
But it's not. It's licensed under...probably got a license under a pick up truck.*

Moermond:

*That would be something you could talk to Parking Enforcement about. Because they handle the public streets. I will put this in front of City Council June 12 and I will recommend they give you to June 21. Our crew can show up after that and finish the job for you.*

Kelley:

*There won't be anything there.*

Moermond:

*Perfect. That will be your new deadline.*

Kelley:

*As far as...she said sticks and everything, like in the grass, blowing off trees and stuff, like I didn't understand that one.*

Martin:

*You can give Celia a call next week; she's on vacation this week and clarify.*

Kelley:

*Oh, I mean I'm going to pick 'em up. [inaudible] hanging over everybody's head. All the refuse is picked up appropriate [inaudible]. Just the sticks, holy cow, who [inaudible]*

Moermond:

*Mine. I pick them up before I mow the lawn, every time.*

Kelley:

*Haven't gotten around to mowing the lawn yet, so.*

Moermond:

*My guess is it really needs it.*

Kelley:

*Now it does, yeah.*

Moermond:

*Well, you don't have orders on it right now, so I'd say stay on top of that. You have your new deadline and go forth.*

Kelley:

*What date was that?*

Moermond:

*June 21.*

Kelley:

*I guess, by question is if I park the white van on the patio, while I paint the house, get the house painted.*

Moermond:

*Did you just hear that it was a commercial vehicle and couldn't be parked...*

Kelley:

No, that's another one. That was the one that was the cube van. [inaudible]

Moermond:

So, park your van on your patio? I don't think your patio is probably a parking surface connected by a driveway, is it?

Kelley:

No....I [inaudible] get it painted anyway, so.

**Referred to the City Council due back on 6/12/2019**

## Correction Orders

- 5 [RLH CO 19-9](#) Appeal of William Shinn Jr. to a Correction Notice at 24 CONGRESS STREET WEST.

**Sponsors:** Noecker

Rescheduled due to missed hearing.

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Moermond:

We don't have him showing up. Based on that, I think I should deny the appeal.

Lisa Martin, Staff:

It's kind of a grey area. A reasonable expectation would be if there's an area where they can reasonably move it, especially in the winter.

Moermond:

What I don't have information here is, it says they don't have an alley. I'm not sure what the situation is with the driveway. I would look for alley information, driveway information and then the incline on the hill to inform whether or not I would recommend the Council granting it.

Maybe Ms. Vang could send a follow up letter, indicating this may be reconsidered if they can provide additional information on other access to the street.

Are you checking?

James Hoffman, Staff:

I am just looking at Google Maps here, really quick.

Martin:

On Google Maps, it looks completely blurred out, so it's hard to tell, exactly.

Hoffman:

From an aerial view, there is no driveway. Doesn't appear to be an alley.

Martin:

Looks like it's just off street parking. About 10 steps up to the property and quite a hill in the front of the property.

Moermond:

We haven't set a height yet in these discussions. I see the 10 steps. That's not the

equivalent of a story, 10 feet would be. I will hold on to that one for a few minutes.

**Laid Over to the Legislative Hearings due back on 6/4/2019**

### Orders To Vacate, Condemnations and Revocations

- 6 [RLH VO 19-18](#) Appeal of Victor Clement to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 467 IVY AVENUE EAST.

**Sponsors:** Brendmoen

*Layover to June 4 and owner to provide roof bid*

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*Victor Clement appeared:*

*James Hoffman, Staff:*

*..Date/Time of 1st LH: Tuesday, May 28, 2019, 11:00 a.m.*

*..Purpose of Appeal: Was under house arrest until 03/22/2019. So need time to find a job and start repairs.*

*..Date of Order(s) Under Appeal: May 16, 2019*

*..Inspector/Key Staff: James Hoffman*

*..Legislative Hearing Staff Comments: Photos needed for hearing. -MM*

*This property has been through this before as far as hearings. October 4, 2018, we got a complaint about utilities being turned off. I sent an order to Mr. Clement to fix that, to get the utilities turned back on. And then sent a condemnation because they still weren't turned back on. Condemnation then went to Vacant Buildings, a file was opened. Those orders were appealed because the utilities had been turned back on. There was also other exterior violations on the property. It was then sent back to me to send orders on the violations on the exterior, the roof, siding, eaves, roof windows, chimney, were all in disrepair. Which was set out in [inaudible] for May 3, 2019. An appeal was attempted after that which was denied. I conferred with my manager and was told to write an order of condemnation for materiel endangerment, general dilapidation, lack of maintenance, faulty construction of property. So, now, he's here to appeal that.*

*Moermond:*

*Tell me a little more about this dilapidation. I see some photographs here, showing the roof is in bad repair. I am seeing wet foundation. What's changed from being a correction order to now being condemnable?*

*Hoffman:*

*Initially, I was told to send a correction notice on the exterior issues to get some movement, to make something happen. Throughout the winter, nothing happened. May came around and the appeal was denied. Based on the pictures and all the information I could give to my manager, he ultimately made the decision and said to write the letters as such.*

*Moermond:*

*Mr. Clements, tell me what's going on.*

*Victor Clements:*

*Basically, I want the chance to stay on my property. Because I have nowhere else to go. I have been incarcerated since September of last year. I was in jail when the*

whole thing started and I tried to call him, too much restriction. I got out, then I was held for probation violation, and then sentenced to 18 days in the workhouse again. I was in that house until March 22. [inaudible] go out and come back. Jail in my house. I was not able to do anything. I got out on the 22nd and [inaudible] start of things.

Moermond:  
22nd of what month?

Clements:  
Of March. [inaudible] that's when I gained my freedom. And when you have some arrest, you gotta pay for your freedom, too. Interesting. So I have to get all these requirements done. So, I need time. If I have to leave y residence, I don't know how I survive. Because now I'm trying to get a job, you know. I'm going back to my automobile business, selling cars. So I'm rebuilding but because of my background, getting a job is tricky. I'm not intentionally not deciding not to do anything. I am in a limited space in society so I don't have any [inaudible] I just wanted to say that. Probably for the record, I was able to bail myself out, actually. The state is sitting on my \$60,000 and said if I come to court and do everything right, they will give me back my money. Hey, for \$60,000, I can take care of everything. I have proof here. So, I do need time. I do not disagree, but what do I do? [inaudible] so I can get this done. This is my problem. If you put me out of my home, then, I don't know from where I'm going to do these things I'm trying to do.

Moermond:  
So, you now have the money to repair the property?

Clements:  
I had to secure my freedom with \$60,000.

Moermond:  
How long is that out of...

Clements:  
The case has started so, I think in about three or four months, it will be over. It's a cash fund I paid. They'll give back my money. Then I will be able to take care of the property. So, I have also contacted some social service agencies. Community Action and Energy Assistance program. They said they were going to come do an energy audit. The windows, all the things that is making me [inaudible] my stuff. They will take care of all that. I have the record here. They give me a new furnace. My house is a rambler, do you call it? [inaudible] it was built in 1900, so it will definitely benefit from the energy audit. I also went to Hats and Hammers, they told me to apply [inaudible] application. Exterior of the house [inaudible] I am selling my cars again. I still have to find a job. [inaudible]

Moermond:  
So, do you have an income now?

Clements:  
Well, from my car sales. I am beginning to get some kind of income. I have to buy the cars, fix them, all that sort, I'm starting all that again. It's a process to get the cars ready for sale. I got two ready for sale. I am now approaching the temporary agencies [inaudible] so things are beginning to look up. And this my case is already started as of the 31st of this month. So, if I do this case, whether I am guilty or innocent, I will get \$60,000 back. I will have money to do. I just have to get my freedom so I can be

able to do that. So, I am just asking [inaudible] as a human being [inaudible]

Moermond:

If you want to show that to me, you are welcome to show that to me. Just bring that up.

Clements:

I pay the \$60,000 and that is Project [inaudible] on the back. That is the conditions I must keep. That says if I do any violating of these, I must forfeit my bill. So, I keep being good boy. [inaudible] people that don't know, think that I am stubborn. [inaudible] I'll get my money back and I'll do even more.

I got one from Community Action; they put me on the Energy Assistance program. They gave me a new phone and paid some of my bills for me. [inaudible] and they are coming to do the audit and they will fix whatever [inaudible] energy efficient.

Moermond:

They will fix some things, yes. They won't replace your windows.

Clements:

The windows, I think...the windows are there. It's just the...I don't know what to call that, the hand, and I have some of those things in the house. That when they had fall off, I took them off and put them in. so, I have most of them in the house, actually. Then Hats and Hammers, they too sent me an application that they will come and work on my exterior. There are some grants and if I stay in the house for 30 years...

Moermond:

I am hearing a lot of maybes in your ability to fix these things.

Clements:

I think that if I keep my portion of [inaudible] that's a little bit beyond me. I just have to keep

Moermond:

Well, that would be you getting the money back and you spending the money on this particular project. So, that's...maybe. Right now, that's what the City would like to see, for you to repair this house and get these items addressed.

I am struggling looking at this condemnation and seeing the material endangerment. The foundation. I'm not sure what the foundation problem is, looking at the orders.

Hoffman:

Some cracks visible on the outside.

Moermond:

Are we talking about a crack where it's still joined or are we talking about...

Hoffman:

There's missing mortar here, there's...

Moermond:

Is it open into the basement?

Hoffman:



*I couldn't tell from the outside, but it's crumbling.*

*Clements:  
[inaudible]*

*Moermond:  
Some are.*

*Hoffman:  
The biggest thing for me, on this property, is the condition of the roof.*

*Clements:  
[inaudible] get a job [inaudible] quickly [inaudible]*

*Hoffman:  
I understand.*

*Clements:  
[inaudible]*

*Moermond:  
The exterior walls, the roof...I see in a couple of pictures that the shingles are really curled up...and holes...and I know that's visible from where the camera can reach. I see deteriorating roofing there...I think that's the extent of the roof shots. I don't know what this larger section is, though. What's going on with that?*

*Hoffman:  
[inaudible] that's the other side.*

*Clements:  
Can I ask you a question? [inaudible] tarp up on the roof?*

*Hoffman:  
Temporary, but it may also be an eyesore, and I don't know if it would get the job done.*

*Clements:  
Just temporary.*

*Hoffman:  
How long is temporary?*

*Clements:  
A month [inaudible]*

*Moermond:  
When were these taken?*

*Hoffman:  
Those were a week, week and a half ago. I'd have to look. [inaudible] Moermond:*

*Moermond:  
Doesn't look like they are showing up in STAMP, so maybe they are in AMANDA and not STAMP.*

Hoffman:

*Do you suppose? No, I don't believe, I don't think I put those in there.*

Moermond:

*Is there more than this one that you took? Oh the both sides, I see it.*

Hoffman:

*I knew there wasn't a very good picture of that side of the roof.*

Moermond:

*Right. I'm really looking for some specific information from you about how you are going to address this. You have talked to a couple of non-profits, Hearts and Hammers and Community Action. I'm not sure you have talked to anybody else who would be able to help you with this work. I get that you have money that you have posted out there. I don't know if you took out a loan to be able to post that or if you happened to have \$60,000 in your back pocket.*

Clements:

*Ya, ya, that's my money.*

Moermond:

*Getting that money freed up to deal with this, I'm really wondering if I have an end game, if I really know when this is going to be finished, it's a lot easier for me to agree to give an extension. I want to give you a chance to pull some of that together. You are not a roofer, I am guessing, you are in the auto business. I think the first thing to do is get a bid or two on what we are talking about here and also have somebody take a look at doing the other fixes that you, yourself, couldn't do.*

*I'd like you to come back next Tuesday with a specific plan, get some bids. Get on the phone this afternoon and see if you can get somebody out there to take a look at it. Then we have some dollars that we are actually talking about. Right now, I don't have anything firm. I am personally concerned that it is raining inside the house, just looking at the condition of the roof. That there are buckets around. And that goes from bad to worse, without too much time, as things get wetter.*

*Some of the outfits that you are asking for help will require an inspection of the inside as well as the outside. They won't fix the outside unless they are assured that there aren't other issues going on.*

*So, get some bids and let's start this conversation. I need to see that you can pay for the work and I get that you have this money out there waiting and you have a trial starting May 31. How long are they expecting your trial will last?*

Clements:

*That's a good question [inaudible] May 31 [inaudible] schedule [inaudible]*

Moermond:

*So it's not the actual trial.*

Clements:

*No [inaudible] go there [inaudible] know what the actual schedule is [inaudible]*

Moermond:

Get some hard numbers around this and we will talk on June 4. I need to get a plan put together in order for this to be OK and so...you need to complete your application with Hearts and Hammers and look for other sources of funding.

Clements:

Thank you. June 4? Same time? 1 PM?

Moermond:

11AM

Laid Over to the Legislative Hearings due back on 6/4/2019

## 11:30 a.m. Hearings

### Orders To Vacate, Condemnations and Revocations

- 7 [RLH VO 19-17](#) Appeal of Kay Lovness, Chatsworth Properties LLC, to a Fire Inspection Correction Notice (which includes condemnation of Unit 7) at 1125 CHATSWORTH STREET NORTH.

Sponsors: Brendmoen

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Kay Lovness appeared.

Brian Schmidt, staff:

..Date/Time of 1st LH: May 28, 2019 at 1:30

..Purpose of Appeal: Items 8 & 9 - Bedroom condemned as unsafe due to no egress window despite exit door from bedroom. Changing this apartment to an efficiency apartment from a 1 bedroom after existence for 60 yrs. or more as 1 bedroom.

..Date of Order(s) Under Appeal: May 9, 2019

..Inspector/Key Staff: Efrayn Franquiz

..Legislative Hearing Staff Comments: Mai, Can you attach the old appeal RLH FCO 17-12 to our paperwork for the hearing? –MM

It looks like, according to the records right now, Inspector Franquiz went out there and did a Certificate of Occupancy inspection. That was done on May 7. He noticed a few deficiencies but it looks like the one really holding this up is the egress from the back bedroom. There are pictures in there what he did see during the Certificate of Occupancy if you wish to look on that. What he is saying is that no two means getting out, one's gotta lead directly to the [inaudible] of the building and one goes directly to a...hallway?

Lovness:

The door goes directly into a hallway that is 14 feet long. Actually two exit doors, one going to the garage and one to the outside. The window. They built a garage on the back of the building. It's 103 years old. And blocked off the window so there are some [inaudible] outside wall in that back room. [inaudible] put a window that would be functional.

Schmidt:

[inaudible] shows that there is one window, in the bedroom.

Lovness:

*But it is blocked off. [inaudible] protect [inaudible] and sound protection.*

Moermond:

*Going through these photos...and there are so many photos, trying to find the relevant ones for this particular case.*

Lovness:

*If you look at what I submitted.*

Moermond:

*I am going to look at what you submitted; I just want to check the City photos first.*

Schmidt:

*There is one that I seen in there, it actually has the apartment number in front of it, 7, and then it'll show the front door going in and then it shows the back of the bedroom with like a window there and a curtain over the top of it.*

Lovness:

*Do you also show the door that goes out of the bedroom?*

Moermond:

*I'm not seeing that in this pile of photos that I have.*

Schmidt:

*One I got has only got a few in there. My file. Like it shows the bedroom with the bed in there. It's got a dresser alongside it and it's the window with the shade down. You are kinda looking through the whole room. I'm not seeing anything that goes out to the hallway or...how that is. [inaudible] fire rated door assembly [inaudible] 20 minute [inaudible] back door does not latch.*

Lovness:

*It has a dead bolt and actually did latch it but the door knob one didn't go in well enough, apparently, so it got to latch [inaudible]. Of course, both will be fixed.*

Schmidt:

*OK.*

Lovness:

*Everything else on there will certainly be handled before my re-inspection.*

Schmidt:

*How long ago, about, did they put the...*

Lovness:

*The garage? I'm guessing 60 years or more. If you look at the picture of it that I got in my, you can see the top of it in the back picture, the garage. I just took that this morning.*

*I've owned this building for three years. It is my second inspection; I had an inspection after I'd owned it for three months. And it did not go very well. I was "D" rated because a lot of the stuff had been from the previous owner who hadn't been inspected for 10 years prior. And now I'm up for a "B" rating, I'm a good landlord, I take care of things.*

*I put \$30,000 into it after the last inspection.*

*Moermond:*

*So, this is the bedroom we are talking about.*

*Lovness:*

*That's the bedroom, yes.*

*Moermond:*

*And this is the window that exits where?*

*Lovness:*

*Exits into the garage. Because the garage was built on the back of it. You can see that smaller photo is of the garage. Then the other photo shows it from inside the bedroom to the door that goes to the hall and then I provided the dimensions and drawings for you. They are crude, but...*

*Moermond:*

*Very very helpful. Is this a one bedroom apartment.*

*Lovness:*

*It is a one bedroom apartment. This front, here, OK, the front of the building is down here and there's an entry hall that goes all the way back and that's the number 7 that you saw on the door. And it goes into the apartment, there's a bathroom right here. This is the front room and then the bedroom. And then, all this darker stuff is a different apartment. And there is another apartment right in front of it. This is basically the back quarter of the building. Not quite, but...*

*Moermond:*

*I am curious, you have a door that shows up, from the bedroom, this door right here.*

*Lovness:*

*That goes into the hallway that goes back to the exit that's off the sidewalk. It's 14 feet long.*

*Moermond:*

*This isn't looking particularly positive. An exit through a garage isn't an exit.*

*Lovness:*

*OK, so disregard that one, but the one right next to it is the exit outside.*

*Moermond:*

*Into the hallway, which goes out, yes.*

*Lovness:*

*It goes into the hallway and then it goes outside.*

*Moermond:*

*So, you got one exit.*

*Lovness:*

*One exit from the bedroom, yeah. Can't count the garage.*

*Moermond:*

Yes. It's a higher hazard location. I am trying to figure out, looking at the floor layout if there is another way to open up that wall.

Lovness:  
It's not an outside wall.

Moermond:  
There is no other outside wall for the apartment?

Lovness:  
For the front room, it has outside walls. It's got nine feet of windows in it.

Moermond:  
I'm looking at this space, between the front room and the bedroom, and seeing that there's door and wall segments on either side of the door and I am wondering, if this were opened up and treated like a studio, rather than a one bedroom, you would have direct access to a window then, for somebody to get out. Because you could count these windows, then.

Lovness:  
I was under the understanding that the whole apartment is not condemned. Only that room is condemned for sleeping in.

Moermond:  
Right, somebody could sleep in this front room.

Lovness:  
Right. I understand.

Moermond:  
I was just trying to make that space usable for sleeping purposes.

Lovness:  
Right. That's what I would like because when I bought the building, I bought it as a one bedroom, you know? When I rent it out, I rent it out as a one bedroom. I lost my tenant because of this. I will have to reduce the rent if I am renting it [inaudible]

Moermond:  
I am trying to figure out a way that you can have the same square footage; it would be configured as a studio rather than a one bedroom. I know that there's a marginal difference in rent. But at least all the square footage could be used there. It seems the kind of job a handyman could do or someone who does sheetrock.

Lovness:  
I am not sure what change you are proposing.

Moermond:  
I am proposing that you could use that as a sleeping area if you removed the door separating it from the front room, as well as the wall segments. At least one of them, either the left or the right. It would be at least half open between the two rooms.

Schmidt:  
Is there a door in that door going to...

Lovness:

*There is a sliding door, a bi-fold door is what it is. So, it could come out.*

Schmidt:

*I'm just thinking off the grid a little bit. We put a normal 20 minute fire separation door in there. You'd have one coming out. The second one coming out to the sidewalk. Know what I am saying?*

Moermond:

*No.*

Schmidt:

*We've ran into this in other...the intent versus the code. We were looking at another house earlier this week where you go in from the front room into the bedroom. There's no doorways or any doors to go out of but there's a second doorway that comes out of that through the kitchen and out. So, I'm thinking if we treat the front door, put a fire separation in there, treat the second door as the same...*

Moermond:

*So, you are saying, instead of opening it up, lock it down?*

Schmidt:

*We could open it up, because the idea is if there's a fire...*

Moermond:

*Because I got a door here and I got a door here and...*

Schmidt:

*And I'm guessing if we have a fire in here, we could close it here and still get out this way. If there's a fire here, we can shut this door down and come out this way. Through here, so you would still have this going out. [inaudible] open this up, so it's halfway from here.*

Moermond:

*So there's two ways out of the room. But neither take you directly out of doors. Which is the rub.*

Schmidt:

*Yeah. Yeah.*

Lovness:

*So, this is probably then...*

Schmidt:

*Well, it's one of those things...it's trying to adapt the new code to the...*

Moermond:

*Well, I don't know if that's the case when I look at a bi-fold door and I see it trimmed out the way it's trimmed out. That's not the original trim in the building. Stylistically, it's not the same as the other woodwork in the place. So, somebody added it on and it's a bi-fold door; it's not an original one of these guys.*

Lovness:

*Oh, OK.*

Moermond:

*Is that a heating register I see there, behind the dresser? Do you see where I mean?*

Schmidt:

*I can't tell; it looks more like a piece of wood. Behind the dresser right here?*

Moermond:

*Yes.*

Schmidt:

*Is this wood trim here? Or is that a register?*

Lovness:

*I don't know. So, you are talking about taking out this wall.*

Schmidt:

*Yes, so this all becomes one room.*

Lovness:

*How wide would that opening have to be? To make it one room?*

Schmidt:

*I'm not aware [inaudible] that wall comes in.*

Lovness:

*I think it's only a couple feet.*

Schmidt:

*And then, we would have to look at...*

Moermond:

*It needs to be 50% of the wall that's shared between the two rooms, is what the code is. I could go with less than that, yes. I'm just trying to figure out how to accommodate. If that is a heating register, you have a ventilation system involved. That would make it more complicated.*

Lovness:

*There's a ceiling fan in the room. [inaudible]*

Schmidt:

*This wall comes in here, because that would be separated [inaudible]. You could open that up and I think that's what Ms. Moermond...*

Lovness:

*I think this is an inaccuracy in the way this is drawn. Just looking at...here's the door and that's right up to the edge. This actually should have been [inaudible]*

Moermond:

*So the doors are immediately next to one another. I'm inside that bedroom, in the back, and these are the two doors, adjacent to one another and there isn't a section of wall there.*

Schmidt:



*I think that's what she's trying to say [inaudible] very close, so this opening might be over 50%, I'm not for sure.*

*Lovness:*

*I would have to go back and look at it, that wall that could come out and see how much...*

*Moermond:*

*Yes.*

*Lovness:*

*And that would allow it to be considered a one bedroom, or?*

*Moermond:*

*I don't care how you rent it. And the City doesn't care. The City just cares, if somebody is sleeping in the room, how do you get out. And so, if we treat it as room, and I would be willing to accept 30-40\$, then there is access to the windows and doors that gets you out.*

*Maybe you would be willing to look at the space and I'm sure you have a handyman or someone who could help with this. Because this was added later, I don't know what the bones underneath are doing. It would be a really easy change, just punch out where the sheetrock got added. And put it back to where the wall originally was. That expense would probably pay itself off in the rent, in not too long.*

*I get where Mr. Schmidt is coming from but I'm not comfortable with both doors being inside exits. It's just not, in my view, adding the measure of safety that is needed. But, come back with a proposal. I'm looking for between 30% and 50% and the door to be gone. See what kind of bid you can get on it and what measurements you can come up with and we'll see if we can help you out here. How long do you need to pull that information together?*

*Lovness:*

*I'd like a couple of weeks at least. My re-inspection is June 11.*

*Moermond:*

*As soon as you file an appeal, that is put on hold. We can push that inspection out, if you want, because enforcement is stayed while we sort this out. Do you want to talk again on June 11, is that enough time to pull information together?*

*Lovness:*

*If I'm going to do it, it would probably be sooner. Well, I guess it wouldn't have to be. I do have someone moving into the apartment in front of it. A young man and his mother is going to move into that apartment. She wants to use that living room area as a bedroom, because it is closer to the bathroom. She has mobility...*

*Moermond:*

*Apartment 7?*

*Lovness:*

*Yeah. So, I'd like to get it done as soon as possible. Yeah, make it June 11.*

*Moermond:*

*If you want it looked at next week, so you can do it faster...*

Lovness:  
Yes, let's do it next week.

Moermond:  
Great. Come back next week with a plan. Tuesday, June 4 at 11:30.

- 8 RLH VO 19-19** Appeal of Judith Hoelzel to a Fire Certificate of Occupancy Revocation and Order to Vacate at 528-530 ORANGE AVENUE WEST.
- Sponsors:** Brendmoen
- Grant 90 days to get Fire C of O reinstated. Property shall remain unoccupied until the Fire C of O is reinstated.*
- 
- Judith Hoelzel appeared.*
- Brian Schmidt, Staff:*  
*..Date/Time of 1st LH: May 28, 2019; 1:30 p.m.*  
*..Purpose of Appeal: Time Extension - Senior owner ill. We are going to see to the addressed issues. Need more time.*  
*..Date of Order(s) Under Appeal: May 8, 2019*  
*..Inspector/Key Staff: Efrayn Franquiz*  
*..Legislative Hearing Staff Comments: Mai, Need to re-load the photos, because they were loaded at DSI in a way that makes them over the margins. Also, the May document needs to have the correct date in the title for Legistar. -MM DARLINDA DON'T PUT THIS IN THE MINUTES*
- Referred to the City Council due back on 6/12/2019**

### 1:30 p.m. Hearings

#### Fire Certificates of Occupancy

- 9 [RLH FCO 19-61](#)** Appeal of Don Sobania to a Correction Notice-Reinspection Complaint at 1660 CUMBERLAND STREET.
- Sponsors:** Brendmoen
- Laid Over to the Legislative Hearings due back on 6/18/2019**
- 10 RLH FCO 19-59** Appeal of Thomas Gilbertson to a Correction Notice - Complaint Inspection at 254 MARIA AVENUE.
- Sponsors:** Prince
- Forthcoming. (LHO to follow up with DSI and City Attorney)*
- Referred to the City Council due back on 6/26/2019**
- 11 RLH FCO 19-56** Appeal of Chris Cadem to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1151 MARION STREET.
- Sponsors:** Brendmoen

1. *deny appeal on the fire pit;*
2. *grant 90 days for the fence repair;*
3. *grant the appeal on the front guardrail painting;*
4. *grant 90 days for the stairs and steps repair;*
5. *grant 90 days for the window repair;*
6. *grant the appeal on the smoke alarms in the bathroom.*

**Referred to the City Council due back on 6/26/2019**

## **2:30 p.m. Hearings**

### **Vacant Building Registrations**

- 12 RLH VBR** Appeal of Elton Mykerezi to a Vacant Building Registration Notice at 926  
**19-34** ARMSTRONG AVENUE.
- Sponsors:** Noecker
- Grant the appeal on the Vacant Building Program; grant to September 1, 2019 to get Fire C of O reinstated.*
- Referred to the City Council due back on 6/26/2019**