



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Tuesday, March 17, 2020

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 20-164** Ratifying the Appealed Special Tax Assessment for property at 59
LAWSON AVENUE WEST. (File No. J2007E, Assessment No. 208306)

Sponsors: Brendmoen

No one appeared. Approve the assessment.

No one appeared

Moermond: it is an Excessive Consumption?

Staff report by Paula Seeley: orders issued to remove a stove, illegal woodburning, from house, first notice sent October 7, compliance date October 21, then January 23, and I believe he went back on April 5 and it was still there so he sent an Excessive Consumption. Orders sent orders to Jacqueline Malaski.

Moermond: we have four sets of orders, we also have the inspector going back and not having work done when inspector went back.

Seeley: it is an Excessive Consumption for noncompliance.

Moermond: so the October 7 is the one in question. After looking at the history, there were several sets of orders on the stove and where there was noncompliance, the orders issued April 5, 2019 had a deadline of May 6, 2019, it was reinspected on October 4, no compliance. Because there was no compliance, it was reissued as well as an Excessive consumption charge for the needless inspector visit. Approve the assessment.

Referred to the City Council due back on 4/8/2020

- 2 **RLH TA 20-165** Ratifying the Appealed Special Tax Assessment for property at 883
PAYNE AVENUE. (File No. J2013A, Assessment No. 308512)

Sponsors: Yang

Delete the assessment.

Jon Lopez, property manager, appeared via phone

Staff report by Supervisor Paula Seeley: Summary Abatement Order for failure to remove sofa, orders sent November 19, compliance date November 26, rechecked November 27, work was done December 3 for \$478, I recommend deleting the assessment as it was on the wrong property.

Moermond: we have photos and maps showing it was on the neighbor's property, so it will be deleted

Referred to the City Council due back on 4/22/2020

Staff Reports

- 3 [SR 20-20](#) Review Request of Marcia Lindblad, Creed Properties, to the Ratifying the Appealed Special Tax Assessment for property at 289 FIFTH STREET EAST. (File No. J2003B, Assessment No. 208102)

Sponsors: Noecker

Recommendation forthcoming.

Marcia Lindblad, CREED property management, appeared via phone

Staff report by Supervisor Joe Yannarely: this was a boarding, it happened in July, they are in a building so they are hard to confirm, so I can't confirm it absolutely, so typically I'll send a boarding letter and if there's a problem people call you back and I can get it changed, or they send in the gold card. In this case she says she's haphazard with her mail. Boarding that happened on July 11 at 5:45 am by the police.

Moermond: was this skyway? Or part of the boarding itself?

Yannarely: Birch's Lowertown tap room.

Moermond: burglary, forced entry, night, commercial area in the bar. Was there a name that went with? Mr. David Wiesner. 4:53 am for forced entry burglary that a passerby saw. They were called to same address earlier in the night for an alarm but saw no forced entry because window was covered by grate, then went into the building and found building in disarray. Attempted to lift prints off cash drawer, contacted to find out who keyholder was, the keyholder stated on the scene that it didn't appear anything was taken. He wasn't able to access the video at time of report but said there should be. It isn't telling me about boarding with the guy, but it was an emergency and was 5 am.

Yannarely: this is a huge owner's list; Creed properties was the default on this and that's why they got the assessment. I didn't have any other information.

Moermond: they are the owner of record with Ramsey County?

Yannarely: yes, but it's a huge complex.

Moermond: if we google the Taproom, does it give the same address?

Joanna Zimny: yes, 289 Fifth.

Mai Vang: I asked Tonya if the mail was returned, she said no.

[called Marcia Lindblad]

Marcia Moermond: [leaving voicemail] I'm reviewing your request to look at an assessment for an emergency boarding July 11, we're trying to ID if Birch's is a tenant, or if they are the owner of that space. It looks like they are a tenant and you are an owner, but there was a broken window and it was broken into and the police were there, and they had reason to do an emergency boarding. We'll move forward assuming landlord and tenant and that's a matter for you to resolve. If something is different, give Mai Vang a call. Approve the assessment. If she calls and has evidence that they own their own space at Birch's we will process a resolution to delete this assessment and Yannarely will process a new one to bill birches.

Update later in hearing:

Moermond: we just spoke with Marcia Lindblad, she said that the taproom that was burglarized was owned by the conglomerate of restaurant owners by the name of "Octofish", she will send contact information. We will confirm with him he owns those businesses, and once we do that, we will delete the assessment.

Received and Filed

4 [SR 20-19](#)

Review Request of Mark Thompson to Ratifying the Appealed Special Tax Assessment for property at 1860 HAWTHORNE AVENUE EAST. (File No. VB2003, Assessment No. 208802 Adopted by Council on January 22, 2020)

Sponsors: Yang

Delete the assessment.

No one appeared

Staff report by Supervisor Joe Yannarely: Mark Thompson, owner, said that this Category 1 was already occupied before the vacant building renewal date of July 10, the fee was already ratified, he is looking for reconsideration of the fee. We have closed the Vacant Building file.

Moermond: This looked like it was a water shut off. I asked Mai to connect with the water company on this. It looked like they got into the program July 2018 due to a water shut off, they paid the Vacant Building fee. The July 2019 got assessed, the one we're looking at today. The owner says they moved back in again, looking at water consumption, it does appear in the first quarter there was medium level usage, but the next 3 quarters there was normal usage, so based on that we find that it was occupied and will process a resolution to delete that assessment. We will communicate that back him.

Received and Filed

10:00 a.m. Hearings

- 5 **RLH TA 20-173** Ratifying the Appealed Special Tax Assessment for property at 687 AURORA AVENUE. (File No. J2014A, Assessment No. 208513)

Sponsors: Thao

No one appeared. Approve the assessment.

No one appeared

Staff report by Supervisor Paula Seeley: summary abatement order for refuse and a snow order, December 6, 2019 orders sent for garbage and December 5 for snow. Compliance date of December 13, 2019, rechecked December 13, work was done December 17 for a cost of \$638. Some history. Mailed to occupant in Blaine.

[videos shown]

Moermond: before video was a little bit worse than the photos, so they just put more garbage in. There was significant packed down snow at that location, Parks did a good job making it safe. Approve.

Referred to the City Council due back on 4/22/2020

- 6 **RLH TA 20-179** Ratifying the Appealed Special Tax Assessment for property at 2156 IGLEHART AVENUE. (File No. J2014A, Assessment No. 208513)

Sponsors: Thao

No one appeared. Approve the assessment.

No one appeared

Staff report by Supervisor Paula Seeley: snow and ice, sent December 11, compliance date December 14, recheck December 19, work done December 20 for \$322. No mail returned, no history. Sent to occupant and Scott and Shari Yarosh.

[video shown]

Moermond: noting that the City order went out December 11 and there was 3" of snow on December 9, and on December 12 we got more snow, and it appears we are looking at all the snow. They had more than a week to clean it up. Approve.

Referred to the City Council due back on 4/22/2020

- 7 **RLH TA 20-175** Ratifying the Appealed Special Tax Assessment for property at 499 LYNNHURST AVENUE WEST. (File No. J2014A, Assessment No. 208513)

Sponsors: Tolbert

No one appeared. Approve the assessment.

No one appeared

Staff report by Supervisor Paula Seeley: Snow and ice order, sent December 5, 2019, compliance date of December 10, rechecked December 13 and the work was done

December 17, 2019. No mail returned and no history. Sent to Calway McCormick and the occupant.

Moermond: there was definitely snow removal that happened. Approve.

Referred to the City Council due back on 4/22/2020

- 8 RLH TA 20-178** Ratifying the Appealed Special Tax Assessment for property at 1736 MINNEHAHA AVENUE EAST. (File No. J2014A, Assessment No. 208513)

Sponsors: Prince

No one appeared. Approve the assessment.

No one appeared

Staff report by Paula Seeley: snow/ice order dated December 16, 2019, compliance date of December 19, rechecked December 19 and the work was done December 20 for a cost of \$322.

[video shown]

Moermond: Parks did a nice job, it was an unsafe sidewalk. It had been days and weeks or snow before that order was even sent.

Referred to the City Council due back on 4/22/2020

- 9 RLH TA 20-174** Ratifying the Appealed Special Tax Assessment for property at 1830 STILLWATER AVENUE EAST. (File No. J2014A, Assessment No. 208513)

Sponsors: Prince

No one appeared. Reduce assessment from \$322 to \$161.

No one appeared

Staff report by Paula Seeley: Snow/ice orders dated December 16, 2019, compliance date of December 19, rechecked December 19, work was done December 20 for a cost of \$322.

[video shown]

Moermond: I want to give them some sort of credit for having a bobcat go through, I'll recommend it is reduced by half to \$161.

Referred to the City Council due back on 4/22/2020

- 10 RLH TA 20-172** Ratifying the Appealed Special Tax Assessment for property at 882 WESTMINSTER STREET. (File No. J2014A, Assessment No. 208513)

Sponsors: Brendmoen

Continue PH to October 7, 2020. Reduce assessment from \$432 to \$250. If no same or similar, reduce assessment from \$432 to \$125.

Kannedy Lee, owner, appeared
Mary Yang, occupant, appeared

Staff report by Supervisor Paula Seeley: summary abatement order for failure to remove a mattress, orders were sent December 16, 2019, compliance date of December 26, rechecked December 26 and work was done December 30 for a cost of \$432. No history on the property.

[video shown]

Moermond: this is your property Mr. Lee?

Lee: mishap occurred, the cat peed on the bed, so for that time we were sleeping on the couch, we weren't considering it as trash, we were trying to clean it, but taking our time. That's why the mattress was out there.

Moermond: so the letter comes telling you to remove it?

Lee: we were aware of it, but didn't get to it, and then it got removed.

Moermond: the letter told you to get rid of it.

Lee: yeah. Some way.

Moermond: with organized trash hauling you could have had it removed free as a bulky item. That would have been an option for you.

Lee: I wasn't aware of that.

Moermond: we can tell you who your hauler is and get you a brochure.

Mai Vang: it is Waste Management. 763-784-8349

Moermond: what size container do you have?

Lee: small one, every week.

Moermond: so you get two bulky items a year. There's a number for Waste Management on there for the future. What I'd like to do is to get a commitment from you to not have anything happen at your property, and I can decrease it. The City still did the work and had a cost and disposal charge. If there's no same or similar problems between now and October 7, 2020, I'll recommend decreasing this to \$125. If you do have something, it will be \$250.

Yang: I actually think I called on the trash in the alley. The mattress was against the house.

Seeley: there was a complaint December 17 for dumping but it was totally different stuff.

Yang: did they think it was our trash?

Moermond: no, this is different, there's problems with dumping but that's not what we're

talking about today. There are photos in the order of the mattress against the garage.

Seeley: I always drive by the corner house that is always a mess, I drove down the alley and saw the mattress.

Referred to the City Council due back on 4/22/2020

Special Tax Assessments-ROLLS

- 11 RLH AR 20-52** Ratifying the assessments for Property Clean Up services during December 3 to 12, 2019. (File No. J2013A, Assessment No. 208512)
- Sponsors: Brendmoen
- Referred to the City Council due back on 4/22/2020**
- 12 RLH AR 20-53** Ratifying the assessments for Property Clean Up services during December 13 to 30, 2019. (File No. J2014A, Assessment No. 208513)
- Sponsors: Brendmoen
- Referred to the City Council due back on 4/22/2020**

11:00 a.m. Hearings

Summary Abatement Orders

Correction Orders

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 13 RLH VO 20-12** Appeal of James Cannon to a Correction Notice-Complaint Inspection (which includes condemnation of Unit 1) at 752 CARROLL AVENUE.
- Sponsors: Thao
- Deny the appeal. Property cannot be reoccupied and condemnation lifted until heat is fixed under permit and electricity is fixed showing DSI a signed bid and receipt /invoice demonstrating completion of project.*
- James Cannon, owner, appeared VIA PHONE*
- Staff report by Supervisor Leanna Shaff: February 27 we received a complaint that in the duplex it didn't have heat in half and electricity, in Unit 1. It doesn't have a Fire C of O and is not owner occupied. Inspector Smith condemned Unit 1, my understanding is each unit has its own heat source. Unit 1 the baseboard heaters are not working, and the hallway and south bedroom lights are not working, so condemned for no heat and electrical outage usage.*

Moermond: is anyone living in unit 1?

Cannon: no to unit 1, yes to unit 2.

Moermond: what are you looking for today?

Cannon: February 27 I received a call from Smith and told the heat and electrical wasn't working in the duplex, and there would be an inspection at 2 pm that day. I told him I couldn't come but tenant would, he did the inspection and found there were issues with the heat and electrical. I kept communicating with Smith and my tenant. I scheduled two appointments for the next day to get the furnace fixed, 7 am and 9 am. I also called an electrician for Saturday, there's both baseboard and forced air heat. I was told by David Smith that as long as I had a heater in there I would be given to Monday March 7, so I thought we'd just fix the issue. The tenant wasn't even living there at the time, so I scheduled two appointments for Friday, February 28, the 7 am appointment they came and looked at the furnace but they had an exorbitant price like \$600 for the furnace filter, but the tenant was there, Peggy Baker from unit 1. The 9 am technician never showed up, so I left work and got heaters and I called Mr. Smith, under the impression if I got the heaters, I'd have that extra time.

Moermond: you understand the letter dated February 28 included a condemnation and the order to vacate was in the letter as well. It is number 8.

Cannon: there was no decision made until the reinspection and then they would do a condemnation the following Monday March 2 if there was no heat. I was told I'd have time to do it. If he's saying something different—

Moermond: the very letter sent to you said it was inspected February 28, and condemned unit 1 clearly, and says re-inspected March 2.

Cannon: I was told by Mr. Smith that I would be given time if I had heaters in there. So, I provided the heaters, he said he spoke to his supervisor and Ms. Shaff said no, condemned it today. I feel Ms. Shaff is racist and bias towards me, and I've been targeted because I'm a young black man. That's my main issue. Now I have a tenant, and I've fixed the issues and there's no one living there. I was told something totally different from Mr. Smith, and feel targeted by Ms. Shaff, racist and bias I'd like that on record. Before they even came, they condemned the unit before they knew they even fixed it.

Moermond: it makes sense, a condemnation itself speaks to the conditions of a building. It is a label put on the unit saying it is not habitable. A different statement would be an order to vacate which gives a specific time that a building needs to be emptied. I wanted to make sure it was clear. I'd like more testimony from file notes and then come back to where we go. Inspector Shaff, are there any notes from the Inspector about communication?

Shaff: There are a lot of notes. February 28 Smith talked to James after receiving a voicemail at 11:02 am. In the message, James wants to know rooms for space heaters. I called him back and explained they need to be in all habitable rooms. James says he was unable to get inside when dropping them off because his key broke. He also says on that day the occupant was there at the inspection, occupant stated she is staying with her daughter temporarily. I explained the condemnation process, placard posted, left James a voicemail stating an inspection time for March 3 to see if heat is working or to be vacated. Also emailed letter. Typically in a no heat

situation, condemnation, we give time to assess the situation, we won't put it out there two weeks, it is a life safety situation. This happened, we go the complaint on a Thursday, Smith was out there Thursday and Friday, he gave the condemnation on Friday to get the heat on or vacate on the 2nd. If we had some sort of diagnosis and space heaters were verified.

Cannon: I did verify.

Shaff: but we have nothing from a contractor by the 2nd to give us indication we could give more time.

Cannon: what Ms. Shaff said about verification on that, how would I have time when before I even brought the heaters at 11:00, I was told by Mr. Smith that it was already condemned. He told me he hadn't seen it quite like this before. I had an electrician coming that Saturday, but because of all this, she opted to end the lease. Now it is unoccupied and I'm going to move back in, but my biggest concern is the way it was handled. It wasn't handled fairly and I think it is disingenuous of her to say if I had a contractor we could have given more time.

Moermond: I'm looking at a property where both units were rental, without a Fire C of O, are you new in town?

Cannon: yes. I do have a C of O, but I was called by their office at the time I was living in the unit, I didn't know there was some recording process.

Moermond: I was just hearing you don't have a Fire C of O and the situation you're describing as an owner occupant is you don't need one if you live in part of the duplex. If you are renting both units you need one.

Cannon: I want to move back in.

Moermond: unit one having been condemned for heat and electrical issues, and looking at this at least correcting the heat problem will require a permit, electrical may or may not, but in both cases you'd have agreements with contractors and that would be evidence of addressing the problem. These code violations apply to both rental and owner occupied. You can't move in and occupy it until the problems are addressed. Condemnations are regardless of type of occupancy.

Cannon: I would like my case transferred to whoever the owner-occupied people are since I'm not treated fairly by Shaff and her staff.

Moermond: I don't have the authority to do that, what I am looking at is the letter condemning the property. It is empty now, so I'm going to say we have talked about the path to get condemnation lifted is hiring an electrician and showing us a signed bid and completion, and the heat fixed which will need a permit. When those things are done it can be reoccupied. Those are the same things the code enforcement people look for. We will copy the Deputy Director on your letter so he can make sure the file transfers smoothly and will know what's going on. You've brought up a number of times about staff treatment of you and believing it has racism, I can't deal with that, but I can deal with the State Department of Human Rights, which would be the appropriate place to lodge that concern. I'm focusing on the bricks and mortar, and it sounds like we agree on the conditions that exist. Based on the conditions, and we don't have information from an electrician or furnace contractor, it can't be reoccupied.

Cannon: I have had an electrician in, and the baseboard heat works in all rooms except one. I don't need furnace and baseboard at the same time. Can I use a space heater in the living room? It works everywhere else. I'd like this expedited since the condemnation was.

Moermond: the law is super clear it has to be every habitable room. Space heaters are temporary solution. A space heater in one room doesn't mean there's compliance with the orders. That will need to be addressed before it can be reoccupied. We're going to send you a letter and it will confirm my recommendation, give you a time and day for a public hearing. I'm going to do that for April 8, at 3:30. I will copy the Deputy Director and put a call into him how to properly handle your situation. During the winter months I frequently see if there is no heat they come down on that fast and hard. It is like no water. It is consistent with other no heat situations that I have seen.

Referred to the City Council due back on 4/8/2020

14 [RLH VO 20-13](#)

Appeal of Eileen Ciuraru or Richard Ciuraru to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1616 MINNEHAHA AVENUE EAST.

Sponsors: Jalali

Layover to LH March 24, 2020. Property must be cleaned out by 50% by Monday, March 23, and have application for emergency loan submitted with the City. (Inspection to be rescheduled to April 6, 2020)

*Eileen Cuiraru, mother of Richard and occupant, appeared
Richard Cuiraru, owner, appeared
Lauren Lightner, appeared VIA PHONE, Ramsey County House Call
Willie Williams, Code enforcement, appeared*

Moermond: condemnation issued, you are appealing.

Staff report by Paula Seeley: on March 2, we got a complaint for gross unsanitary, so Williams went to the property along with another inspector and condemned the building. They tried to get in March 4, Lauren, Willie and Stefan tried to get in, but had to send an appointment letter for March 6 at 2 pm. Condemned on March 10, compliance date March 13, the principle violations are it's a fire hazard, dilapidated conditions, faulty wiring, blocked exits, need 3' minimum clearance, access to at least one window in every bedroom, there was some electrical cover plates missing and light fixtures hanging by wires, smokes weren't hooked up, electrical panel was removed. Excessive storage throughout house. Need to install proper dryer vents and a heating contractor service water heater and fuel burning safety test. Clutter around furnace and water heater. Bathroom floors need repair or replacement. Needs to be cleaned and sanitized. Exposed lath in kitchen and hole in ceiling in living room.

Moermond: you both live there?

Richard Cuiraru: we do

Moermond: ok, because I saw a kid's toy.

Richard Cuiraru: no kids, she [Eileen] likes to buy toys at the flea market. My brother and his girlfriend Sandy live there.

Moermond: are you the property owner?

Richard Cuiraru: yes. This is Eileen my mother.

Moermond: Ms. Lightner have you been to the property? Anything to add?

Lightner: it certainly appears they have an excessive accumulation of things, I can't speak for the inspection piece, House Calls can certainly be available if they are income qualifying to help reduce the amount of accumulation in the home. I have heard reports they are starting to reduce the amount, but I haven't seen it. Eileen requested a dumpster, but we were playing phone tag.

Moermond: what does income qualified mean? What do you look at?

Lightner: with four adults living in the home, if they don't have income or limited income I'd just need to know that. Richard has said he has a good income, but that's covering four people. That income would be around \$51,500 for four people. If it is over that, they wouldn't qualify but we'd still support them with a dumpster and help case management.

Richard Cuiraru: I'm over that. Repairs are where we need the most help.

Moermond: the clutter is a big problem, you want to connect with her for dumpster assistance, it is important because whatever it costs to get a dumpster is money not spent on repairs. Take help where you can. You've had a chance to look at this about a week ago, what's changed?

Richard Cuiraru: we have a storage unit we are putting most of the stuff into, it is mostly my Mom's stuff she needs to sort through. We're trying to work on the back door. We're trying our best to clean up and get repairs done.

Moermond: so you have a storage unit, I personally don't recommend that, it is better to deal with it and get rid of stuff now. Getting it out of the house is the first thing, in any event. If I were to say is half the stuff gone?

Richard Cuiraru: probably 40%, not quite half. There's improvement. It is not where it needs to be.

Eileen Cuiraru: half the basement is cleaned, I'm working on the other part. I have his room so you can exit out the windows. Right now stuff is mismanaged on the first floor, I've been cleaning to 3 am. I have a lot moved so they have access to the areas that need to be fixed.

MM: when you say access what does that mean? How much access is there to the service panel?

Eileen: I still have a few things to take care of, it is serviceable to it.

Moermond: so is there at least a yard around it, and a yard wide path up to it, so someone could easily walk to the service panel? Often people in your circumstance with a lot of things and hoarded conditions aren't seeing things the same way as the inspector. You have way different sets of eyes. With Covid 19 I'm not looking at cutting four people loose, but I also have an unsafe house. What I really want to do is get a work plan where you are agreeing to do certain things by certain deadlines but keeping

you in there since you're operating in good faith. That's my goal today. Some of the things you need to do to make things safer are relatively low cost. Setting aside re-sheetrocking, the electrical and smoke detector.

Richard Cuiraru: we do have them, the one upstairs was installed, the one in the basement was installed Friday, we just need one in the main floor.

Shaff: are there bedrooms on the main floor?

Richard Cuiraru: no.

Shaff: then you don't need one on that floor.

Seeley: any way to get help on plumbing and electrical and the furnace and water heater? Sounds like they make too much money for Zong Vang to help.

Lightner: we don't have licensed contractors we use for any of that. We don't have funding.

Moermond: do we know what criteria Zong uses for the emergency loans?

Lightner: it is higher than ours, as long as they can supply tax information and account information, I'm happy to bring out a packet and help them go through it, so it can be looked at.

Moermond: and if they don't have the money, they also know everyone in town. I want to focus on the carbons and smokes in, the next would be pathways to get out, then clearing the house and then getting contractors in.

Richard Cuiraru: I have \$3,000 in a bank account, and a credit card with \$25,000 but I'm \$10,000 in the hole on it.

Moermond: if you can get an electrician to tuck in the wires, then maybe we can worry about the lights later

Seeley: were you doing electrical work? Why was the cover off?

Eileen Cuiraru: we had to take the cover off because there was a leak upstairs, to replace the switches and he forgot to put it back on, it is back on now.

Moermodn: for getting emergency help, it is like applying for a mortgage, you'll also need bids to do the work, and the people at the City can help you get bids, if I'm an electrical contractor though I need to have free and clear access to whatever needs to be fixed, and they won't want to go in a hoarded house. Job one has to be to get things out, to make it safer to escape, but because contractors will be picky about that. Ms. Lightner, how long would it take to get a dumpster out at the property?

Lightner: it could be delivered tomorrow, I can meet with them this afternoon.

Moermond: your brother and his girlfriend could help too?

Richard Cuiraru: yes

Moermodn: right now the biggest value is keeping a roof over your head. The useful

thing right now is the house, not whether you can sell something at a future value. Do you have things like pay stubs and account statements you can pull together easily?

Richard Cuiraru: I can get statements from the bank, W2s I should have.

Moermond: Ms. Lightner if you could visit them this afternoon with that packet, if you can get that in and that cleaned out 50% by Monday and we'll have an inspector check that. Also, by Monday I want an application in for emergency loan and assistance. That to me is saying you're operating in good faith. If you don't qualify for the money we can keep digging because we will know that. As part of that 50% I want a clear pathway between sleeping areas and doors and windows. We need a nice big clear path. We'll lay this over to next Tuesday. Ms. Seeley if there's a heavy fire load in the house, and there's a fire, it will burn a lot for a long time, and when it gets wet there's a lot of material that will get heavy.

Laid Over to the Legislative Hearings due back on 3/24/2020

Staff Report

- 15 [SR 20-23](#) Follow-up on inspection results for 1011 Margaret Street and compliance with decision in RLH VBR 20-10.

Sponsors: Prince

Grant to April 1, 2020 to provide lease addendum to not use middle bedroom as sleeping room.

Jay Mitchell, on behalf of Quality Residences, appeared

Staff report by Supervisor Leanna Shaff: compliance was today, he was there at 9:15 am today. He was met by nobody.

Mitchell: I had no idea he was going to be there today.

Shaff: the upstairs bedroom wasn't complied with. It is only 63 square feet.

Moermond: so it is 63 not 68 square feet.

Shaff: as of Friday it was still occupied.

Moermond: who did he communicate the meeting to?

Shaff: he said it was Mr. Mitchell. As of Friday he said that the tenant said they hadn't been notified to reduce the number of people in the room.

Moermond: you were saying when you talked with Ms. Zimny, the middle room no longer had any furniture in it?

Mitchell: I have pictures dated today I can send.

Moermond: have you been communicating with the tenants about reducing the number of tenants?

Shaff: that's taken care of. It is just retaining wall and the room.

Moermond: so we're talking a bout a 6x8' room basically.

Shaff: we're shy by 10%. It is small if there's a twin bed in there.

Moermond: how many people living there now?

Mitchell: 3, mother, father and a child

Shaff: how many bedrooms?

Mitchell: two, not including the little one.

Moermond: why was it being used as a sleeping room?

Mitchell: it always has been used as a sleeping room. It was just recently called out.

Moermond: was this marketed as a 3 bedroom?

Mitchell: I don't know.

Moermond: there is another legal bedroom for the child?

Shaff: I don't know for sure, he says middle room so I'm guessing.

[pictures shown]

Moermond: so there's still a dresser in there.

Mitchell: but we've pulled the twin bed.

Shaff: I'd like to see a lease amendment, have it addressed in writing with the tenants that it can't be used as a sleeping room.

Moermond: I don't have an appeal in front of me, I have the Council resolution with deadlines. Two weeks to get that.

Received and Filed

1:30 p.m. Hearings

Fire Certificates of Occupancy

2:30 p.m. Hearings

Vacant Building Registrations

16 RLH VBR Appeal of Carrie Nelson to a Vacant Building Registration Notice at 291
20-12 STINSON STREET.

Sponsors: Thao

Grant the appeal and release from VB program. Approve submitted workplan with the following deadlines:

1) Grant a to June 15, 2020 for items 1, 2, 3, 4, 8, 10, 15, 16, 17, 18 and 21 2) Grant to April 17, 2020 for 5, 6, 7, 9, 11, 12, 13, 14, 19, 20 and 22 3) Grant to September 1, 2020 for 24.

Carrie Nelson, occupant, VIA phone

Shawn Nelson, owner, VIA phone

Moermond: we have the work plan she has proposed, have you both looked at this?

Shawn Nelson: she did most of it.

Moermond: looking it over, the only thing concerning me here is number 24, giving six months for that. Otherwise I think we can work with the plan you've put together.

Shawn Nelson: were asking for extra time because of the global situation, I'd hate to fall short and have to do this again.

Carrie Nelson: when I get an estimate they are wanting to the replace the water heater.

Moermond: that's normal in this kind of circumstance, trades people don't want to put their name on someone else's work.

Carrie Nelson: I was hoping they would just unhook it and hook it back up. That kind of a cost is going to take a bit of time, especially with us being homebound right now. I'm trying to start working from home. Elliot's court case is delayed because of the situation too, and that would have helped too. We will stick with the plan whether or not he gets released.

Moermond: alright, I'm going to put September 1, 2020 on it. That's just shy of 180 days, but if something happens we're not starting a heating season with this not addressed. You need to head into the season with it addressed, and there's time to take enforcement action. This is the second round, I'm not inclined to entertain a third round.

Carrie Nelson: are we setting up a date for the first 30 day notice? I don't get a lot of letters by mail.

Moermond: can you also send them to Shawn?

Shawn Nelson: My address is 25430 98th street NW, Zimmerman MN 55398

Moermond: they'll send a letter to both addresses so everyone knows what's going on. I don't think they send scheduling by email just by paper. Who is the inspector?

Shaff: Franquiz

Moermond: so if there are issues reach out to him. Work plan accepted; we're converting that one deadline.

Carrie Nelson: when should I follow up with him to make sure it has been sent?

Shaff: we'll be sending it to your brother also.

Moermond: best we can do is mail it. Remove the VB fee, out of the program.

Referred to the City Council due back on 4/1/2020

**17 RLH VBR
20-14**

Appeal of Daniel Heinen to a Vacant Building Registration Fee Warning Letter at 377 MARYLAND AVENUE WEST.

Sponsors: Brendmoen

Deny the appeal, but allow permits to be pulled.

Steve Houli, ATL Global, public insurance adjuster appeared.

Staff report by Matt Dornfeld: 377 Maryland Ave W was unfortunately hit by a car, it drove through the front February 13, 2020, which sparked us to condemn and make a Category 3 Vacant Building. We held the Vacant Building fee for 90 days to deal with insurance and begin rehab. At this point it appears there is a code compliance on file but I haven't seen any permits. My guess is we are here to discuss the VB fee past due this past February.

Moermond: is this the second VB fee for this property?

Dornfeld: yes, the original fee was paid by check \$2,127, back in May of 2019, so that covers February 2019 to February 2020. The 2020 to 2021 fee is due now. It went to assessment March 2.

Moermond: Mr. Houli, what is going on, how long until it is done?

Houli: basically, what has transpired is the claim itself through insurance is unresolved. In the beginning of September 2019, insurance cut Mr. Heinen off from his additional living expenses, he was living in a hotel, so since then he has had to incur costs for his mortgage and where he's currently living. This is about getting a small extension to pay the fee, March 2 we did receive notification that through ADR through appraisal, which is scheduled for April 21. We're behind on when we received notice, so we're asking that this fee is presented to appraisal panel again for this year, we're asking that he receives a month so he doesn't have to incur it out of pocket, maybe 60 days past April 21.

Moermond: right now you have a bill with the registration, when that goes unpaid it goes as a special assessment on the property taxes. That would show up on the 2021 property taxes, so you have time between now and then to reach resolution. I can put a 90-day waiver on, so that starts February, that won't buy a ton of time, but the rest has to do with the permits. There aren't any permits pulled, I assume the repair is on hold?

Houli: unfortunately without an approved scope of work through insurance, we don't have it completed. That's what will go to the appraisal panel. Aside from the compliance report, it is not a lot of major issues, but the insurance company neglected to include some significant things impacted by the vehicle. That's what the dispute is about. They will be pulled as soon as we get the appraisal award. I don't see the work taking an extraordinary amount of time. We're just in limbo until the appraisal panel has their decision.

Moermond: I'm going to put in the 90 day waiver. Logistically, in terms of navigating bureaucracy. We're going to let the Vacant Building fee sit, so it goes through as an

assessment. He will get a letter notifying him of the hearing. If he appeals the assessment, I can decrease it if he spends less than 6 months in the VB program, I can also make it payable over 5 years so if things head south it would be smaller bites moving forward. The other piece I'm concerned about, with an unpaid VB fee you may have trouble pulling permits, but I'm going to have staff note you can pull permits so no matter what you're good to go.

Houl: I'll be submitting the amount to the appraisal panel, if that's awarded, are there additional fees I should propose to the panel?

Moermond: once it is processed as an assessment there's a service charge of \$157. So that should be added, the City charges about 4%, it will be on the back of the assessment letter that he gets. That accrues 30 or 60 days after the Council votes.

Referred to the City Council due back on 4/1/2020

18 **RLH VBR**
 20-16

Appeal of Lauren Lightner, on behalf of Catherine Fehr, to a Vacant Building Registration Notice at 701 HAZEL STREET NORTH.

Sponsors: Prince

Deny the appeal. Waive the VB fee for 90 days.

Lauren Lightner, Ramsey County House Calls, VIA phone
Catherine Fehr, owner, VIA phone

Staff report by Matt Dornfeld: March 9, 2020 Code Inspector Hoffman opened a Category 2 Vacant Building per a referral from SPFD emergency medical technician who said the interior of the house was in poor, unsanitary, and unsafe conditions. There are attached documents from the EMT documenting this. Lauren Lightner has been in contact with Property Owner and given updated contact information, exterior has broken windows, missing shingles, peeling paint, garbage and refuse and old boat in rear of yard, single car garage with deteriorating roof, soffit and eaves. Hoffman has photos in the file. Posted VB placards, and sent Summary Abatement Order for cleanup of yard. All enforcement has been stayed due to appeal.

Moermond: so the SPFD found a gross unsanitary house, Ms. Lightner have you been in? Is it just sanitation or also too many items?

Lightner: both sanitation and high accumulation. Basement and basically every room are full. There are sanitation concerns. It does meet gross and unsanitary.

Moermond: if it weren't a vacant building it would have to be condemned and made one, it sounds like, this means she can't move back in until it is resolved. Let's talk about what you're looking for today and what we can do. Are you in the hospital now Ms. Fehr?

Fehr: Woodbury care center.

Moermond: what would you like to do? Move back in, do you have help?

Fehr: those things you were listing are grossly exaggerated. My brother has a boat parked in the backyard; I don't think that has anything to do with the problems here. Other things you were saying about multiple windows falling apart, there's actually only one that was vandalized that was fixed. Things are exaggerated.

Moermond: I'm going to backup then and what Mr. Dornfeld is just a generic description from the outside, and then referencing what emergency medical staff told him about the inside. He hasn't been inside. The boat isn't giving me any heartburn. When I hear about broken windows my main concern is that it doesn't allow intruders. I feel confident from the picture that isn't the case. Let's go to what you want to do in the future, sounds like you have some significant housekeeping issues.

Fehr: my brother is working on it, there's a dumpster there. He's more careful about looking through things, I told him to not sort things out, things we don't want to just put it in the dumpster. I'd like him to be able to look through things. I have things I want to keep too. We'd just like more time to do that. We'd like to be able to sell it.

Moermond: so your goal is to clean out to sell. Were you living there alone?

Fehr: I'm in the Woodbury care center now, my brother has his own home, but he comes over as he can and works on cleaning with his son.

Moermond: Ms. Lightner, have you been working with Robert, the brother, in terms of the dumpster?

Lightner: I met him in the nursing home initially, we've had one phone conversation and I met him at the house, but I have tried to reach him all day and left four messages and he's not responsive to me, she's explained he's very upset about the situation.

Moermond: I'm feeling good about the fact you don't want to move back in, I think we have options, the two big issues are 1: the Vacant Building fee itself, 2: about what needs to happen before someone can move back again, whether that's you or the purchaser who deals with that. Mr. Dornfeld, the VB fee, we have \$2,127 covering March 2020 to March 2021.

Fehr: you seem to think that makes sense, it is extreme and unwarranted, and I can't believe a government operates that way.

Moermond: I can help you out in the short term with the fee, but it pays for staff to go to the property at least 2x a month to make sure it is secure and taken care of.

Fehr: my brother has been going more than that. The sign on the front doesn't make it any better. It is better to have my brother come in, he's been getting the mail, more often than the people you suggest. I'm angry, he's angry, and we'd like you to back off so we can go through things.

Moermond: it would be helpful if he'd be willing to talk to Ms. Lightner.

Fehr: I called him today to make sure he got those latest documents the City sent. I didn't know if Ms. Lightner had that information, so I was thinking once she sees what the City sent us she's going to be angry.

Lightner: my role was initially the City couldn't find you and reach you to know your plan about the home, I talked to you about the process, and they need a work plan from your brother.

Fehr: that's just more busywork who just wants to go in and do it. When I do a project, I just want to do it not have to have this done and such and such a time.

Lightner: one of my goals was to make sure you had a voice, since I know you were in the care facility and not able to communicate. I know you have serious feelings about this process, but we do have to work together and figure out how it will get cleaned up.

Fehr: that's what my brother will do if he's given the time and space to do it.

Moermond: to be clear he does have the time and space he needs, he can be there from 8 am to 8 pm to clean and repair things, do what he needs to do to get it ready for sale. There is access. I'm hearing you're in a care facility and not able to maintain it on your own, I am hearing the US mail continues to go to the house, and your brother stops by frequently to help. I can't, knowing you can't monitor and not talking to your brother now, we don't let people out of the program because they have family members check on the property. Our experience is we need staff going by every so often.

Fehr: well I just told you that my brother goes by.

Moermond: the main thing here is that no one can move in while it is in this condition. The faster you get it out of this condition—

Fehr: no one is planning on "moving in".

Moermond: legally the City can't let anyone move in right now. How long do you suppose it will take your brother to get the house cleaned up?

Fehr: I don't know, I left a message for him to call in, it was at a late time. He could answer better than me.

Lightner: I'll go by the house and continue to try and email and reach him to tell him a timeline is necessary.

Fehr: you're still holding on to that.

Lightner: I don't have any authority to change that

Fehr: the time it takes is the time to takes.

Moermond: I'm sorry you're feeling this as pressure. You can hear from my comments I'm not going to let this out of the VB program because of your situation. We'll put a 90 day waiver on the VB fee, so let's get the house cleaned out and inspection done so it can be sold. Do you think your brother can get the place cleaned out in that time?

Fehr: I don't think it has to be such a short time, if it is progressing and getting done. To me that's fine.

Moermond: I know that's less of a worry and headache for you, but I have a different worry from the City's perspective and that's making sure it stays safe. I want this to a place where it is cleaned and sold, but the longer it goes the harder it is for me to waive that fee.

Dornfeld: it is bacteria infested and has rodents.

Fehr: we'd all like that, the point is, we're not expecting to have anyone "move in".

Moermond: any questions Ms. Lightner?

Lightner: the concern she's shared with me about her brother, he's elderly, with an adult son and I'm going to give him resources, but I'm not sure he can do it himself.

Fehr: why aren't there resources from the City? Monetary assistance?

Moermond: there will be a 90 day waiver, and after that it is processed on the property taxes, that is appealable at that point too.

Fehr: will you please take the sign off?

Moermond: the only option is to put a condemned sign on it.

Fehr: that's cruel and unusual punishment. Any sign shouldn't be made like that if you care about that.

Dornfeld: the placards are there to alert first responders about an ongoing issue, and they should proceed with caution and to alert neighbors to keep eyes on the home, and for any prospective buyers that there are issues at the home. The EMT who saved your life, that sign would notify them of conditions when they are entering.

Moermond: where do you want your mail forwarded to? You need to talk to them; they will stop delivering soon. We'll copy Lauren Lightner on the letter, we're happy to share it with your brother if you get us a mailing address?

Fehr: I don't know his home address.

Referred to the City Council due back on 4/1/2020

**19 RLH VBR
20-18**

Appeal of Omobolaji Shadrack to a Vacant Building Registration Requirement at 2203-2205 GLENRIDGE AVENUE.

Sponsors: Prince

Grant the appeal and release from the VB program.

Omobolaji Shadrack appeared VIA PHONE

Moermond: you filed an appeal whether it should be in the Vacant Building program. It looks like staff allowed you to have temporary occupancy, but there's an outstanding siding issue and a gas issue outstanding.

Shadrack: that has been resolved, it was signed off on. I had a contractor out.

Moermond: I'm going to ask staff to tell me why they think that's outstanding?

Dornfeld: I need you to have them call our building inspector to talk about the work that was done. There's a hang-up between them two.

Shadrack: I can do that.

Moermond: I'm comfortable getting you out of the VB program, but we need to talk about another issue. It looks like you're using this as a rental?

Shadrack: no, I live at 2205, that's my address now, I sold my house. I talked to the inspector November 22, 2019.

Moermond: I was thinking there was a problem because there have been exterior maintenance issues, you're going to have a lot of cleanup on tax assessments if you aren't careful here.

Shadrack: I don't think there's any problem on the exterior. I have a contractor coming to look at the window.

Moermond: in conclusion, you're out of the VB program and finish the siding in May and you're going to talk to contractor who did the gas work and tell him to connect with the City's inspector. I'm granting your appeal you're out of the program.

Referred to the City Council due back on 4/1/2020