



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
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Tuesday, June 9, 2020

9:00 AM

Via Telephone due to Covid-19 Health pandemic

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

##### Remove/Repair Orders

- 1 [RLH RR 19-29](#) Ordering the rehabilitation or razing and removal of the structures at 864 MARION STREET within fifteen (15) days after the December 18, 2019 City Council public hearing. (Amend to remove within 15 days) (Public hearing continued from December 18, 2019)

Sponsors: Thao

*Layover to June 23 for owner to provide contractor bids, work plans and evidence of financing.*

*864 Marion Street*

*Robert Schilling is on the phone line. (He said something about anxiety, it takes a while for him to recover, and he has an attorney. He then hung up.)*

*Chad Lemmons, attorney, is on the phone line.*

*Marcia Moermond: I'm calling about 864 Marion. We just had Mr. Schilling on the line for maybe 30 seconds. He indicated that he was not wanting to talk today because he was having an anxiety attack, or thought he would, and it would take him a while to recover. He hung up at that point. We have you working on the title. I don't have anything in terms of work plans to do a rehab or evidence of financing to execute it.*

*Lemmons: I talked to Schilling last Friday to remind him about today. He gave me the name of a contractor that has a proposed contract for the work to be done. I have not contacted that person and haven't seen anything yet. His name is Monty Gesino, 612-751-7637. I have an e-mail, too.*

*Moermond: We are not going to follow-up with him. That onus is on Mr. Schilling to produce. Thank you for his name, though.*

*Lemmons: I will follow-up with him myself.*

*Moermond: Mr. Schilling leaves me in an awkward position here. It's been a long time.*

*Lemmons: I assumed my role was to correct the title, which I have done. I never planned to get involved in anything else.*

*Moermond: You were clear with that from the beginning. Are you expanding your role?*

*Lemmons: I will assist Schilling in getting the document from Mr. Ges and getting those filed. After talking to Schilling, he was not in the position to deal with this and he needs some help. I will contact Mr. Ges and get the information from him. If my role expands beyond that, I will let you know. I will get a copy of the proposal and all the paperwork he has and get that done. This is a complicated situation. I will assist up to a point, but I want to be clear as to how far I'm going to go.*

*Moermond: I had continued the matter to today. The one piece on the list from the June 1 letter, was the financial step to be taken to clear title, which is great.*

*Lemmons: We lucked out there.*

*Moermond: My recommendation is to order the building to be removed. He should have the ability to address the Council. That will likely be by phone. I will lay over for 2 more weeks to give you guys a chance to produce. I'll lay over to June 23.*

**Laid Over to the Legislative Hearings due back on 6/23/2020**

**2 RLH RR 20-11**

Ordering the rehabilitation or razing and removal of the structures at 174 PAGE STREET WEST within fifteen (15) days after the February 26, 2020 City Council public hearing. (to be referred back to Legislative Hearing on May 26, 2020)

**Sponsors:** Noecker

*In order for recommendation for grant of time, these conditions must be met by June 19, 2020: 1) an affidavit from Joe Steinmaus dedicating the funds for the project from the Western Bank account; and 2) written statement from Joe Steinmaus indicating he is satisfied with the cancellation of the previous purchase agreement and is prepared to move forward under his June 3, 2020 agreement.*

*174 Page Street West listened to audio*

*Robert Bier is on the phone line.*

*Joe Steinmaus is on the phone line.*

*Brendan Anderson is on the phone line.*

*Jason Cramer is on the phone line.*

*Marcia Moermond: We are talking about the rehab of 174 West Page. Where we left is that Metro Holdings was not ready to meet the terms of the legislative code and the property could not be transferred prior to the abatement of the nuisance. Abatement being rehabilitation or removal of the property. Bier was going to talk to other people who were interested in purchasing the property. I have not received anything from Anderson or Cramer. Anything to add to record?*

*Brendan Anderson: This is a 180 from the last conversation I had with Bob. Documents, we do have those. Scope and category. Code compliance. Proof of bonds. Did not know the essence of where this is going.*

Jason Cramer: *Where is the transaction with regards to Bob and this other party?*

Moermond: *I have not accepted that the funds submitted are sufficient because it was contingent on a closing of the property and the property transferring. Do we have a work plan? We do have a document there. It was received on the 14th. It is a page and a half. It does not include financing. Mr. Bier, how is it you want to proceed? You have a purchase agreement executed in February with a proposed closing in March.*

Robert Bier: *I signed an addendum on that. I would like to move forward with a new individual who has a better track record that has done more in less than a week than the other company in 3½ months. This new individual, Joe, can do what he says he can do.*

Moermond: *Here is what I'm going to look for: for Mr. Steinmaus to proceed, do you have the legal positioning to do that? Have you received legal advice?*

Steinmaus: *Robert wants to go in a different direction.*

Moermond: *I'm going to ask Mr. Magner. He and I both looked at the paperwork Steinmaus submitted.*

Magner: *Everything is in place. We just need an affidavit from Metro Holdings saying that the funds from Western State Bank are going to be used for this address. We can take this project and amend it or put an affidavit on the record. Mr. Bier can move forward with that plan.*

Moermond: *I'm going to ask for an additional document from Steinmaus. It can be in the form of a letter, saying you're ready to move forward. Any sort of previous purchase agreement or addendum for cancellation, you will need to deal with that. In reading the agreement, cancellation can be approved by one party. If you could shoot me a statement that you feel resolved about the agreement issues, I am comfortable with the work plan you submitted and recommend the Council grant you time to execute it. I will put this in front of Council. I can go as soon as June 24 if you can have that document.*

Steinmaus: *Absolutely.*

Moermond: *Let's get that documentation in. Mr. Bier, did you post a new \$5,000 performance deposit or someone else?*

Cramer: *I posted it.*

Moermond: *You posted the \$5,000, Mr. Cramer, so all you need to do is make a written request to have it returned to you if this goes the way it looks like it is going. A different additional performance deposit will need to be posted by Steinmaus or Bier in order for this other to move forward. I will be looking for different things: the posting of a second performance deposit and a statement to move forward and resolve concerns about previous agreements. I would love to see that taken care of by June 19.*

Steinmaus: *No problem. It will be done by this week hopefully.*

Moermond: *Great. I will have the matter in front of Council June 24. I will ask them to issue a grant of time of 180 days. According to your work plan, that is longer than*

what you require to get the job done.

*Magner: Mr. Cramer and Associates need to make application to Reid Soley via e-mail for a refund of the \$5,000 as soon as possible.*

*Moermond: We have a plan to move forward.*

**Referred to the City Council due back on 6/24/2020**

**3**      [RLH RR 19-23](#)

Ordering the rehabilitation or razing and removal of the structures at 1179 SEVENTH STREET EAST within fifteen (15) days after the September 11, 2019 City Council public hearing. (Public hearing continued from September 11)

**Sponsors:**      Yang

*1179 Seventh Street East. Conditions stated in the May 15 letter stands, noting that the property must be maintained (Note: there was a tall & grass order issued June 4, 2020 and City crew did the work on June 11. current maintenance practice is not acceptable).*

*Lisa Kugler is on the phone line.*

*Marcia Moermond: Are we just talking to you or is Mr. Udoibok going to join us?*

*Lisa Kugler: You can call him, but he had a hearing. He was going to be available between 9 and 10. I don't have much to report.*

*Moermond: It looks like it will be more of a report from you. We missed his availability. It is now 10:05. We were just going to do an update today on the national register and review process and appraisal projected timeline and where things are at with these 2 items. Also, the effect of COVID, and your ability to move forward.*

*Kugler: The national register work was commissioned. Not completed yet. We have not committed the appraisal because of the real estate situation. It is so uncertain now. Any opinion we got now would be so constrained. It would be worthless. That is being delayed.*

*Moermond: What is your thinking on the timing of it then?*

*Kugler: I am not sure what the impact, not so much of COVID, but of the reconstruction that needs to take place in Minneapolis and Saint Paul. That will affect the ability to get the project funded. I'm not sure in what way. The timeline always was to be able to get started toward the end of the year. I don't know if that has changed.*

*Moermond: The point of this call is that we have lines of communication open about how it is progressing. The company that you talked about has begun their work. We were going to touch base and if they had run into any difficulties because of assessing staff or the materials they would need.*

*Kugler: So far they have managed to get what they need electronically.*

*Moermond: In your contract with them, do you have a deadline for them to produce?*

*Kugler: No. I know they are working on it. But I don't think it will be long. It is not*

months and months of work.

Moermond: *Is there any change with LISC? Have you had any additional conversations with them about this work?*

Kugler: *Yes.*

Moermond: *The state of affairs in Minneapolis and St. Paul could impact this project. Is that a message for LISC?*

Kugler: *Not directly in relation to this project, but in relation to something else. They were very busy before the events of the last week. They were rethinking their loan guidelines because of COVID.*

Moermond: *You may want to follow up with Mr. Udoibok. One of the things is that the property must be maintained. There was an order for tall grass and weeds once again at the property. That is not good.*

Kugler: *Yes, I will make them aware of that.*

Moermond: *They would have received it in the mail. This needs to be actively managed. Let's touch base in a couple of weeks and see where we are at with the Hess Roice information and if LISC has come up with anything. With the appraisal, you will probably have better information.*

Kugler: *It's going to take a while to sort out the situation.*

Moermond: *I appreciate your time this morning. We will send out a letter. We will continue in a few weeks. Hopefully Mr. Udoibok can be on the line as well. Follow-up will be June 23.*

**Laid Over to the Legislative Hearings due back on 6/23/2020**

**4**      [RLH RR 20-23](#)

Ordering the rehabilitation or razing and removal of the structures at 1915 IVY AVENUE EAST within fifteen (15) days after the July 8, 2020, City Council Public Hearing.

**Sponsors:**      Yang

*Owner must have property cleaned out and obtain a code compliance inspection application by June 23rd hearing; \$5,000 performance deposit posted by July 8, 2020 and the property must continue to be maintained.*

1915 Ivy Avenue East

*The following appeared in person: 1) Michael Hulke; 2) Monica Anderson, 651-226-0355, monica.marie.anderson@gmail.com; 3) Stephanie Sisco, neighbor.*

*Marcia Moermond: These meetings are conducted electronically. In the future, we will be doing this by phone.*

*Steve Magner gave a staff report: This is a single-family dwelling with a detached two stall garage. It has been vacant since October 6, 2012. The current property owner is Agnes M. Hulke, who is deceased. Taxation has placed an estimated market value of \$19,400 on the land and \$141,500 on the building. Real estate taxes are current. The*

vacant building fees have been paid. The code compliance inspection has not been done. A \$5,000 performance deposit has not been posted. No work orders have been issued. Code Enforcement officers estimate the cost to repair exceeds \$100,000. Demolition exceeds \$20,000.

Moermond: They have not started yet with the deposit or inspection. Otherwise, they have maintained the property well. We are dealing with this today because of...

Magner: Eight years is a long time of it being vacant.

Michael Hulke: I am the deceased owner's son. I took care of her.

Monica Anderson: I am the daughter. We are co-executors. She passed in 2016.

Moermond: Four years since she passed.

Hulke: I took care of her. It was an 1885 house that I bought.

Moermond: Four years since she passed and you have not completed probate?

Anderson: That is correct. It should be in the estate's name.

Moermond: It is in Agnes Hulke's name. Have you consulted with an attorney?

Hulke: Yes.

Moermond: Is there an issue? It is not resolved.

Hulke: Many things had to be gone through. And we still have a few things to do. There were other properties. This was her homestead. She lived there for almost 60 years, my dad and her.

Moermond: You still have not resolved it. It is a long time if you are working with an attorney. What is the holdup?

Hulke: We were in court with it. My mom bought everything, and she kept everything. I've been taking and donating stuff. It takes time to go through things. It's also the paperwork; it is endless. Social security numbers, if people get ahold of that... It has been broken into.

Moermond: What is your intention?

Hulke: He would like to see it get into a working manner. Some people could live in it. One of the ministers wanted to buy it. And not to fix it. But I have to remove things and it takes time.

Moermond: Time's up. At this point, it is time to get a dumpster and pitch it. It can get fixed or it can get demolished. This is the last minute. Have you any experience fixing up houses?

Hulke: I worked with my neighbor Bob. He did burned-out houses.

Moermond: Have you worked with contractors?

*Hulke: He was a contractor. He worked for a big company.*

*Anderson: What other options do we have? Can we sell as is?*

*Moermond: No. You can come to an arrangement for someone to fix it, and they can buy it when the nuisance is abated.*

*Magner: I think they're either going to have a redevelopment plan to rehabilitate the structure or turn it into an agreement with a third party and sell it after completing it.*

*Anderson: Would that include if we choose to demolish it?*

*Magner: You can come into an agreement for someone to demolish the house.*

*Anderson: Then we transfer the title?*

*Magner: As soon as they raise the house, it goes into closing.*

*Anderson: The garage is included? My tools are in there. That's why they broke in.*

*Magner: You can't just raise the primary structure. You can't have an accessory structure without a primary structure. A purchaser can keep the accessory structure and they can come to the City (he explained the process for this). The vacant lot is worth more.*

*Anderson: What's the time frame for cleaning it out?*

*Moermond: We will talk about that. You are scheduled for a public hearing on July 8. I am looking for specific plans for the cleanup and how you will accomplish that. The first two things are you get the code compliance inspection report. You have the four trades inspectors go through the house and create a list of what needs to be done to bring it into minimum code compliance. They are estimating this is a \$100,000 job. This is a large project. I'm looking for something in that range. Otherwise, I think it may be a fly-by-night. It is coming in over \$20,000 for demolition.*

*Magner: If it's cleaned out, the amount can drop. We don't have an idea of the volume of the house.*

*Hulke: I cleaned out a lot. (Explained what was in the rooms.) When they broke in, things got dumped over. It's not like it was at all.*

*Moermond: This is not ready for an inspection yet, which is called broom clean. It needs to be broom clean for contractors to walk around.*

*Stephanie Sisco: I live next door at 1919 Ivy Avenue East. Given my profession, I have flexibility to come down here and be part of the process. My biggest concern is safety. I purchased the house 1.5 years ago. I met Mike last year. I do feel unsafe living next door to that house. It's just me and my husband and a small dog. It's a large house. We weren't aware of the level of crime in that neighborhood. We weren't aware that this structure was a magnet for vagabonds in that community. I am surprised that I am the only one here.*

*Moermond: This is a public hearing for a reason. The public has an interest. She will see if Mr. Magner has any comments. He has dealt with homeless people taking*

advantage of properties.

*Magner: Back in 2012, this property got the status of vacant building. We did a lot of inspection activity. Hulke has been cutting the grass and cleaning the walk. If anyone is seeing people that don't look like they are supposed to be there, they can call 266-8989. If you believe they are committing a crime, call 911.*

*Sisco: There were occasions when people showed up at the property. People have been arrested at that property. I will say that I have not been the informant in any of those cases. I do want to voice the bare minimum of displeasing aesthetic that comes along with the backyard and the garage. Before moving in, I was aware of that, but it seems like it got worse. Plywood to reinforce security measures for the garage. That plywood is degraded, molded, disgusting. There could be more awareness of how it looks. It is next to a playground, churches. In the backyard, there are garden structures. When the weather is windy, there is a lot of rustling noises that would be ignored if there wasn't a history of people in the house.*

*Moermond: You need to have a family conversation about a couple of things. Is the attorney still engaged and aware of this proceeding?*

*Anderson: I told her about it. I will let her know what is going on.*

*Moermond: Thinking about a deadline and a placeholder. The City requires a \$5,000 performance deposit. No deposit if you are going to demolish. If you are willing to rehabilitate, it is there. If you get the work done, you can get the deposit back. The County valued the parcel at \$19,400 for the land. Today is June 9. Council is July 8. June 23 is two weeks from now. I am going to ask that you have the property cleaned out by then. They will not do an inspection on a house that is full. You will need to see a performance deposit posted. The other piece: you have to get this title fixed. You are not the owners of the property. Because you don't own it, you have some issues. Talk to your attorney about how to manage this. Right now, it is in your mother's name. The City can take action to remove the property whether or not the title is clear. How does the department deal with that?*

*Magner: We need to have it in probate, have some sort of clear identification of what is going on. We have always required the probate to be completed or in process. Ramsey County lists it as Agnes Hulke. We don't know if there is a mortgage company, other siblings. We need that probate.*

*Anderson: I will contact the attorney and find out what needs to be done.*

*MM: We would like a status report. The attorney can give us an update. She can do that in writing so you don't have to pay for her to come here. You have to have the title cleared up. The title, deposit, cleaning the house, getting the inspection, maintaining the property are all conditions for pausing action on July 8. The City Council can knock it down. We will gather by phone in two weeks' time. Ms. Vang will coordinate the call. You will get a letter in a few days. We will continue the conversation.*

**Laid Over to the Legislative Hearings due back on 6/23/2020**

- 5 RLH RR 20-24** Ordering the rehabilitation or razing and removal of the structures at 657 SHERBURNE AVENUE within fifteen (15) days after the July 8, 2020, City Council Public Hearing.

Sponsors: Thao



Owner to order a new code compliance inspection (old one expired) and post a \$5,000 performance deposit no later than June 29, 2020; and continue to maintain the property.

657 Sherburne Avenue

Aychoeun Tea is on the phone line.

Magner: This is a two-story single family dwelling. It has been vacant since January 31, 2017. The owner is Aychoeun Tea. An order to abate a nuisance building was issued on April 3, 2020. The compliance date is May 3, 2020. The estimated market value is \$11,200 on the land and \$80,700 on the building. The vacant building registration fee has been paid. A code compliance inspection was done on March 29, 2017 and has since expired. A performance deposit has not been posted. Code Enforcement officers estimate the cost to repair exceeds \$100,000. The estimated cost to demolish exceeds \$20,000.

Aychoeun Tea: I would like to fix this.

Marcia Moermond: Do you know what you need to do? You don't have a current report, performance deposit. Can you do these things?

Tea: Deposit, what is that.

Moermond: A \$5,000 deposit you will need to place with the City. You will be able to get the money back if you complete the project. An inspection report was done in 2017. It would need to be updated. You will need to get the orders. After those 2 things happen, we will talk about other things that can happen. We need a work plan and evidence that you have the money to complete the project. The City has issued orders for the property. You take care of it.

Tea: I cannot remove the car. People are burning my house. People came and burned my car. It happened last summer. I cannot take it out. (Note: there was a vehicle fire with significant impact to the garage on 9/6/2019.)

Moermond: I don't understand how that is preventing you from ordering the inspection report.

Tea: I called for a code compliance but I was told I had to wait and talk to you hear. I want to finish this summer.

Moermond: You can order a code compliance. Do you have the paperwork?

Yea: No.

Moermond: Do you have an e-mail?

Tea: Yes. (She gave it)

Moermond: We will send you the information.

Tea: Can you send me the paper by mail?

Moermond: Yes. We will send you the forms. Do you need an interpreter?

Tea: No. But, why the \$5,000?

Moermond: That's the law. In order for you to get a grant of time and the City not demolish it, you need to post it. Do you need the paperwork translated?

Tea: No. I read English good.

Moermond: Is the house cleaned out and ready to be inspected?

Tea: Yes.

Moermond: Order that inspection report right away.

Tea: I need a week. I need to put a key in the lockbox.

Moermond: Let's get the application filed; get the \$5,000 performance deposit in place. Once those things have happened, we will have an additional conversation about work plan and the financing so that you have the money necessary to rehab the house.

Tea: Nothing has changed. You need more to rehab the house?

Moermond: Right now, staff is estimating the cost to fix it will be \$100,000.

Tea: Nothing changed. Why \$100,000?

Moermond: A report shows all the things that need to be done to bring it up to compliance. Mechanical, electrical, plumbing, heating work that needs to happen.

Tea: Everything is working.

Moermond: I am talking about the items to make the property minimally code compliant. The question is have you addressed the items for minimal code compliance. I will send you a letter. I am going to require that code compliance be posted. I am going to look for those things to be done no later than June 29. Then, we'll talk about what the next phase looks like. In the meantime, make sure you are on top of mowing the lawn, picking up garbage. Please take care of those. You need to maintain the property so the City does not send you a letter telling you what needs to be done.

**Referred to the City Council due back on 7/8/2020**

## 10:00 a.m. Hearings

- 6 RLH RR 20-9** Making finding on the appealed substantial abatement ordered for 578 LAFOND AVENUE in Council File RLH RR 19-26.

**Sponsors:** Thao

*In order to grant an additional 180 days, the following conditions must be met by June 19, 2020: 1) post an additional \$5,000 performance deposit; 2) updated scope of work/sworn construction statement; and 3) provide updated financial capacity to complete the rehab. If a hearing is necessary, it will be on June 23 @ 10 a.m.*

578 Lafond Avenue

Judy Carvalho is on the phone line.

Marcial Obregon is on the phone line.

Marcia Moermond: You were to contact Nathan Bruhn.

Steve Magner: Nathan Bruhn has not gotten in there.

Moermond: The letter said that you were to reach out to Bruhn to inspect the property. Why have you not met that condition?

Obregon: We met Nathan yesterday at the property. We walked around for 20 minutes. I also spoke to Nathan this morning asking for another inspection. He said he was going to submit a report to you.

Magner: That information was not provided to me at the close of business yesterday. We can't move forward without that information.

Moermond: We are going to recess for 5 minutes.

(Recess from 1102 to 1111 hours)

Moermond: Just spoke with Bruhn. He does not have a percentage ready to share yet. He put his notes on the building permit. It didn't get e-mailed. That is where we came up short. I'm going to have subsequent discussion with Bruhn. He only looked at the building portion. He did not look at the property in terms of the trades permits. That is a conversation we need to follow-up on. All that is relevant to the performance deposit. With respect to the work itself, I will recommend the work be allowed to continue. I may need to ask for more money on this.

Obregon: If I can tell you what we've done since the last phone conversation, with a moderate amount of detail, I can tell you how long it will take to finish.

Moermond: I would like it in writing. Also, I need evidence of financing in place for you to complete the work. More than 6 months have passed. The original schedule went out the window. We need a current real schedule and to verify there is current real money on the table.

Obregon: Since the last time we spoke, we had framing and exterior covering material delivered to the project, removed all fire damaged framing, replaced approx. 40% of the trusses on the upper portion of the house, 80% of the roof framing on the lower portion, rebuilt the entire garage, re-sheathed the entire house, installed a new roof, new skylight, and about 60% of the siding. The reason 100% of the siding is not done is because we are waiting on a sheathing inspection to cover all of the new sheathing. Once we get the sheathing inspection, we can have the exterior covering 100% done by the end of this week. Then we can pull our trading permits. I've had all my tradesman out there just waiting for the go ahead to get moving. Expect to have all the projects completed within the next 30 to 45 days. 100% of the exterior of the job can be completed by this Friday if I can obtain a sheathing inspection.

Moermond: Not ready to green light. Please continue with the permit. Normally I would lay this over for 2 weeks. I can see you would rather move more quickly on it. I will have Mai Vang schedule a phone conference. She will reach out to do the

scheduling. We will aim for Monday, the 15th. We will talk then. I'm looking for updated work plans and financing in place.

Obregon: If someone can notify Nathan to go ahead with a sheathing inspection. He will not continue.

Moermond: We need to get him on the line. Then I will have an answer for you on that piece.

**Referred to the City Council due back on 6/24/2020**

## 11:00 a.m. Hearings

### Summary Abatement Orders

**7 RLH SAO 20-7** Appeal of Kevin Morrison to a Summary Abatement Order at 2262 BLAKE AVENUE.

Sponsors: Jalali

Grant to July 10, 2020 for compliance.

2262 Blake Street

Paula Seeley is on the phone line.

Kevin Morrison is on the phone line.

Paula Seeley: On May 22, our office received a complaint about overhanging vegetation. Summary Abatement Order was sent with a compliance date of June 3 to "remove and properly dispose of the branches, brush, yard waste, and miscellaneous debris from the hill along the alley on the east side of the property."

Marcia Moermond: This is a nuisance under Chapter 34

Seeley: Yes, could be 45, too.

Kevin Morrison: 45.

Moermond: It's kind of both.

Seeley: Very well could be a fire hazard. Once this dries out, it could start a fire. Quite a bit of combustible.

Morrison: An inspector has been by for 3 out of 4 years. There were no neighbor complaints. It is 4 feet off the alley. I understand there is brush there. I've been trying to keep it out of the power line. I've been blowing leaves there for years. I'm trying to leave the brush on the ground. It rained so much last year. I know there is a lot of brush there. It has grown up in the last week or so. I'm thinking about renting a 6-inch wood chipper and have it mulched down and blown back into the hill. That will solve the problem. Other than that, I will have to get a bid for someone to haul it away. A chipper would help keep the vegetation from growing into the future. What do you think of that?

Moermond: I haven't seen the finished project from what you are describing.

Seeley: I don't really know in excess how much it would be. If it was mulched pretty good, it would hold...

Morrison: It goes about 60 inches and then goes straight up. It would control the vegetation. I can have someone haul it. It would actually look better. If you pull that out, there will be stumps and look like hell. It will look worse if I pull it out of there.

Moermond: How much time?

Morrison: 30 days. Is that reasonable? I have some days off. I would shoot it back into the hill. A lot of that stuff is growing into the hill. Not so much down in the alley. I must have removed 6 trees at considerable expense. There was a stump in the power line where the tree was growing in it. There is at least 2 or 3 feet from the edge. There is junk all the way: rubbish pile, windows, trash can, leaves. I'm not complaining about all of that, but it seems like I'm getting singled out. I've been doing this for years. If I can get 30 days, I'll rent a wood chipper and blow that back into the hill.

Moermond: I'm willing to entertain the extension if you can proactively manage the property moving forwards.

Morrison: I've been here before and I can trim it back.

Moermond: This project does not look good to me. It looks half done. I don't want the inspector to be out there any more than you do. I'm looking for you to trim that back. You can be on top of this situation. I'm happy to give the 30 days.

Morrison: The inspector did not return my call.

Moermond: I'm willing to give you until July 10 if you give me a handshake that you will be on top of it moving forward.

Morrison: If I knew it was an issue, I wouldn't have dropped that brush there.

Moermond: I'm comfortable with an extension to July 10.

Morrison: You have a handshake on it.

**Referred to the City Council due back on 6/24/2020**

## Correction Orders

**8 RLH CO 20-8** Appeal of Charles Nosie to a Correction Notice at 653 BURR STREET.

**Sponsors:** Brendmoen

Grant to July 1, 2020 for compliance.

653 Burr Street

Charles Nosie is on the phone line.

Paula Seeley: We've had open files since 2016. They get closed and then they get opened. This last one was unapproved parking again. Sent on April 8 and again on

May 28. Compliance date June 5.

Charles Nosie: I am waiting for this order on noneviction being lifted. I have submitted paperwork to my attorney. I gave these people notice to vacate more than 90 days ago. The Coronavirus kicked in, and I can't get them out of there. I asked them to condemn the property because that would enable me to get them out of there. The people that are in there, they are beyond scum. I have asked them to leave. Unless I can get the eviction order, I cannot get them to leave. I am at my wit's end. I want them out as much as the City wants them out. I had a sale on it, but the sale went through because they won't leave. I will evict them the minute that I can.

Marcia Moermond: What is going on? Manager's tows, are they proceeding?

Seeley: Unlikely. No towing right now.

Nosie: I had the police over there. They won't tow it.

Moermond: There are a couple of couches on a trailer behind the garage.

Nosie: I asked them to remove them. They put them on the trailer. We satisfied the fire order at one point. Within 2 weeks, the place looks like hell again. I can't throw their stuff away. It's illegal to do that.

Seeley: Inspection June 15.

Moermond: Unless there is an extension from the Governor, the eviction expires Friday.

Nosie: Supposed to expire on the 12th.

Moermond: I feel bad for the neighbors.

Nosie: There was a duplex. I had people upstairs. I got them out of there. The minute they are out of there, I will clean up the property.

Moermond: Why did you write a Correction Notice instead a Summary Abatement Order?

Seeley: The file is so huge. SAO's are not generating properly. Once the tenants leave, he has to get a site plan for parking back there. This has been an ongoing issue since 2016.

Moermond: I need to be practical. I would hate to live next to this property. I'm going to say July 1.

Nosie: That is well and good if the conviction order gets lifted on the 12th. Condemn the property.

Moermond: It needs to be unfit for human habitation to be condemned.

Nosie: It is.

Moermond: If you are not in compliance by July 1, at least for the sanitation issues, Seeley can go ahead and there will be additional enforcement actions on that. I don't

know what the lease is. You gave them a notice to vacate 90 days ago. Financial responsibility, if you address that in a lease, security deposit. This is a private matter.

Nosie: They don't care.

Moermond: They are in violation of their lease if you have a lease that covers that.

Nosie: They have not paid their rent for 90 days. Not a problem getting them out of there if I can get into court.

Moermond: There is going to be an inch of rain. The couches will get rained on. We have some time. Seeley will take care of it after July.

Seeley: I'm fine with that. July 1st. In the meantime, I won't go by there.

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## 1:30 p.m. Hearings

### Fire Certificates of Occupancy

- 9      **RLH FCO**              Appeal of Reggie A. Phoenix to a Correction Notice-Reinspection  
         **20-50**                      Complaint at 401 MINNEHAHA AVENUE EAST.

Sponsors:              Brendmoen

Grant to July 7 for all items except Item 11 (windows), which is granted to September 1, 2020.

401 Minnehaha Avenue East

Reggie Phoenix is on the phone line.

Marcia Moermond: Matthew is also associated.

Reggie Phoenix: He is my husband. We own the property together.

Leanna Shaff: In February 12 of this year, DSI received a complaint. The smaller bedroom screen broken and window frame is rotten. Storm windows in master bedroom are rotten at the bottom of the frame. Visible mold on the master bedroom window frame. Tan/light brown water damage "rings" on the ceiling of the laundry room. Purple marks on the tiles behind the toilet in the upstairs bathroom (above the laundry room ceiling). Kitchen sliding glass door is missing the screen door and missing weather seals. Originally this complaint was responded to by Franquiz. He responded on the 14th. Due to the pandemic, he was not able to follow-up. Thomas was there on April 16 and May 11. The items that were taken care of, there are still 11 items on the correction orders. Looks like you are saying Mr. Thomas' report does not have that any fixes were done. Your tenant told you this.

Phoenix: Correct.

Shaff: You wrote that Thomas did not explore every room. Thomas is anything but cursory when it comes to an inspection. Our code requirements are minimum

requirements. If Thomas did not abate some of these orders, they did not meet minimum code requirements. Not due for a fire certificate of occupancy yet.

Moermond: I'm going to turn it over to you. What are you looking for today?

Phoenix: We are distressed at the state of the property. The original reports made in February was mailed to a previous address. We never got it. The first notice we got was April. Apparently when he went to the reinspection on May 11--I'm speaking to 3,7,8,9,10--my tenant said each of those were fixed. He never went up to the bathroom to look at the cabinet. A hard wired smoke alarm had been installed. The fish tank had been cleaned. #9 walls had been repaired. Grounding cable had been fixed. These were all done prior to his inspection. This is a quote: he walked in and looked at it. He said if things were not done, he was sending one more letter about what he did when he showed up for the reinspection. I believe you when you said he did a good job, I don't think my tenant would lie, but I'm telling you what they told me. We went through each item. They assured me those items were addressed.

Moermond: You're in Maryland? Who is doing these repairs?

Phoenix: Her father was doing these things. I hired a handyman. We're waiting for the reinspection.

Moermond: Which is on hold until we resolve this. She is the tenant?

Phoenix: Yes.

Moermond: We have reinspection issues. It appears some of the things may have been addressed and maybe not all of the things. I'm looking at the ceiling. I'm concerned. You would have seen the section of ceiling that is water stained. There is a light fixture in an area where there is clearly water leaking.

Phoenix: I'm in complete agreement. We lived in that place for 17 years before I got a job out of town. We have never rented a place before. From what I have been told, the leak had been fixed. I had a call out for about 6 days to an electrician. He is backed up. I have been waiting for his schedule. Everything stopped during this COVID-19. Apparently, the water leakage has been fixed. The plumber was there. That has been fixed. There were children's toys found in the plumbing. The plumbing has been fixed. The ceiling has yet to be replaced. I don't know if that was spoken about. She told me the ceiling had been replaced. The pictures were taken in February. Regarding all the windows and doors, I am working on the rehab program. We are in the process of getting a loan to replace all the windows. We have gotten bids. One is 10 weeks out. We have been in process of attending to these windows. This a tremendous a lot of money, which we don't have. Just heard about a program a few weeks ago. As soon as we get a step or two further in the process, we will send out a personal appeal to you. We are going to get the doors and windows replaced.

Moermond: A lot to unpack. During the course of the comments in terms of the original letters, where were they sent?

Shaff: Franquiz noted the letter came back as not deliverable. He did his research that they updated the information with the County but not the City. When did you get your application into PED?

Phoenix: Yesterday morning.



*Shaff: What did the plumber do? We're going to require a copy of that receipt. Did the tenant take pictures and text them to you?*

*Phoenix: No.*

*Moermond: A handyman is hired now. Is he in possession of the list?*

*Phoenix: Yes.*

*Moermond: You have someone that does this for a living and may have a better handle of what things should look like.*

*Phoenix: I found him on Angie's List. We have been trying to find people locally ourselves. We begin to work on this this week. I had a conversation with Thomas about what we need. We want to do everything right.*

*Moermond: This is all sounding good to me. Thomas does appear to be thorough. That has been my experience. This is a doable list of things. You have the right pieces in place to conquer it. You are working with PED on a loan, you're working with a contractor, and that is all positive. What you're really needing is an extension to work your way through all the items.*

*Phoenix: That is correct. I had no idea the window installation could be pushed so far out. We got the quote a month ago. Thought how we could afford \$10,000. That's when we found the program. The detective work takes several weeks.*

*Moermond: We got your address squared away. The whole list was not checked off and there will still be a reinspection either way. Let's nail down when you're going to get the money from PED.*

*Shaff: Sounds like he turned in things yesterday. Windows and doors ten weeks out. My experience with that loan program, about a month before it's okayed. That would put you in the line with the windows. When the windows come in, it shouldn't take that long. It's not that big of a project. Sounds like your handyman has the ceiling, bathroom drawer, seal on the bathtub. Tenants have some work to do with the house being unkept.*

*Phoenix: They said they have rectified it.*

*Shaff: Maybe they can take some pictures. Realistically, the rest of the work, there's no reason it can't be done within the next couple of weeks. Everything except the windows or doors.*

*Phoenix: 10 fixed, 9 fixed, 7 addressed, smoke detectors addressed.*

*Shaff: They say it's been fixed. The inspector is thorough. If we don't see it, it hasn't been fixed yet.*

*Moermond: I would like to split the deadline: 4 weeks out for items and the windows September 1. Maybe the handyman can meet the inspector at the next appointment. He can hear anything that is not quite right. You would have another set of ears and another perspective. We will ask the inspector to take photos. I am disappointed that we don't have follow-up photos from February. July 7 for all items except #11, which is*

*September 1. Reach out to my office if that is not working because COVID or windows are an odd size. Keep the line of communication open.*

**Referred to the City Council due back on 6/24/2020**

**10 RLH FCO  
20-49**

Appeal of Reggie A. Phoenix to a Fire Inspection Correction Notice at 403 MINNEHAHA AVENUE EAST.

Sponsors: Brendmoen

*Grant to July 7, 2020 for all items, except Items 4, 9 and 11 (windows, doors and air exchange) which are granted to September 1, 2020.*

*403 Minnehaha Avenue East*

*Reggie Phoenix is on the phone line.*

*Leanna Shaff: This is a complaint which started with Franquiz and followed up by Thomas. I did a little more research on this. This was done. This ventilation was done when constructed in 1981. What I believe happened, the code reference is incorrect. It appears that you did some work with the ventilation. It is the materials. Somebody repaired it, fixed it, did something. The flex venting and the type of tape: that has to be brought up to compliance. I will rewrite the order.*

*Phoenix: Even though that predates our ownership?*

*Shaff: The materials used were never code compliant.*

*Moermond: Venting installed in the 80's and it was modified since then. Packaging tape, for example. Those would not have been accepted in the 1980's, too.*

*Shaff: Don't know when.*

*Phoenix: Someone touched it since the original form.*

*Moermond: Sounds like you need a contractor at this property, too. I don't think this fix will rise to the level of the cost of window replacement. I don't know how this will fit in with this program.*

*Phoenix: Got the one at 401 replaced, too. That was \$2800*

*Moermond: Covered by rental rehab program?*

*Phoenix: I was told that it could be, yes.*

*Moermond: Got a bid on that. Going to be shy of \$3,000?*

*Phoenix: That's right. The windows are \$10,000 at Ikea.*

*Moermond: Concerns about other items on the list?*

*Phoenix: The handyman is there Monday and today. He fixed the soffit. We may have to get a gutter person out there. He said it's just old and needs to be replaced. #2 is still in process because he just looked at it yesterday and gave us a report about it. We have to investigate further in terms of getting someone out there to replace it.*

*Anything having to do with windows or doors, that is something we are dealing with in the rental rehabilitation program. The doors and framework – he fixed the seal on #5. He changed the multi plug adapter, #6. #7, reconnected the base board heater. Installed the hard wire smoke alarm was yesterday. #9 window thing. I sent my tenant the smoke detector affidavit. She simply forgot to give it to him last time he was there. 11 is air exchange unit. We have gone through each of those.*

*Moermond: Let's do the same thing for this property, except for the windows, the doors, and air exchange problems that we have. July 7 and September 1. If something comes up for processing the rental rehab loan, reach back to our office and we can work with you on that. July 7 is for all the items except for those we are getting the rehab loan for. September 1 will be the date for those. You will get a letter in the next few days, which confirms those details.*

*Phoenix: Appreciate you working with me.*

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## 2:30 p.m. Hearings

### Vacant Building Registrations

- 11 RLH VBR** Appeal of Cody Jerzak to a Vacant Building Registration Renewal Notice  
**20-40** at 1696 BOHLAND AVENUE.

**Sponsors:** Tolbert

*Waive the VB fee for 90 days.*

*1696 Bohland*

*Matt Dornfeld is on the phone line.*

*Cody Jerzak is on the phone line.*

*Dornfeld: This was opened as a Category 2 vacant building in June 6, 2017. As of today, it went through the sale review process and was approved. All permits are on file. Code compliance is on fine. Rehab is ongoing. Property is being maintained.*

*Jerzak: The deadline was going to be July 1. We had some hiccups. Everything is on track. It is suppose to be completed the 2nd week of July. I am having bills pop up everywhere. Spending more on this house than I thought I would. I would rather put this money toward the house.*

*Moermond: I could do a 90-day waiver on the fee, which would take me out to September 6.*

*Jerzak: That would be amazing.*

*Moermond: If you are done by then, you will have no fee. If you aren't done by then, it will be processed as a special assessment. Then we can prorate the fee. This will get you through September 6. Hopefully you will be done in the summertime.*

*Jerzak: I will be pounding nails if we don't get this done. Thank you. With them not being able to pull permits...*

*Dornfeld: I will e-mail the person who will put that into the system right now. You can do that later this afternoon or first thing in the morning.*

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