



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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651-266-8585

Tuesday, July 7, 2020

9:00 AM

Via Telephone due to COVID-19 health pandemic

Special Tax Assessments

9:00 a.m. Hearings

- 1 **RLH TA 20-288** Ratifying the Appealed Special Tax Assessment for property at 0 HERBERT STREET, PARCEL ID: 27-29-22-13-0021. (File No. J2013A, Assessment No. 208515) (To be referred back to Legislative Hearing on September 15, 2020)

Sponsors: Yang

To be referred back to Legislative Hearing on September 15, 2020 @ 9 am

Referred to the City Council due back on 7/22/2020

- 2 [RLH TA 20-264](#) Ratifying the Appealed Special Tax Assessment for property at 0 HERBERT STREET. (File No. J2015A, Assessment No. 208515) (To be referred back to Legislative Hearing on September 15, 2020)

Sponsors: Yang

To be referred back to Legislative Hearing on September 15, 2020 @ 9 am

Referred to the City Council due back on 7/22/2020

- 3 **RLH TA 20-356** Ratifying the Appealed Special Tax Assessment for property at 183 GENESEE STREET. (File No. J2020A, Assessment No. 208535)

Sponsors: Brendmoen

Approve the assessment & spread over 3 years.

183 Genesee Street

Francis Iwuajoku is on the phone line.

Marcia Moermond: We talked three weeks ago about a proposed assessment for cleaning your property. You didn't have the photos and video to see what was cleaned up. We also didn't have a breakdown of the cost. You were sent the photos and

some still photographs from the video so you could see what was there when the crew arrived. Questions?

Iwuajoku: I have the photos. Hard to see how those things are put together. The radio, t.v., and one piece of couch that was on the porch. They encouraged me to put them over there. Somebody came and helped me because I was sick.

Moermond: You said that last time we talked. The City wants to charge you, and I'm looking for you to say why you shouldn't pay for that.

Iwuajoku: They persuaded me that they could take it. By the side, I put it there. It is there for me. They say they can take it.

Moermond: Who is saying they will take it from there?

Iwuajoku: The people that came and took it. The garbage was on the side. That is the people. They said if I have more things, I can put it there. That is what I did.

Moermond: In my years, I have not seen a garbage company pick up a pile like that by the garbage can.

Iwuajoku: That is not garbage. Those are my materials. There is no garbage in my back at all.

Moermond: I looked at the photographs. When you have materials piled up outside like this, it is definitely not something that should be stored in a huge pile outside the back door. I'm still stuck with: you got the notice from the City, they told you to clean it, you didn't remove it, there were two weeks, the crew showed up after the deadline. You are responsible, you were told about it, and you didn't do it.

Iwuajoku: Those times there was snow. You can't put those on the floor. That is their garbage truck and not mine. This is not something flying all over.

Moermond: The City wrote you a letter saying the scrap wood, broken door, tires, buckets were not properly stored. You didn't appeal that.

Iwuajoku: They didn't say it was not properly stored.

MM: That is what the notice said.

Iwuajoku: When did they clean it?

Moermond: March 12 is when the letter went out. They didn't show up for two weeks to do the cleanup. I'm close to finishing your case. What you're saying is not a reason for the assessment to be decreased or deleted. You didn't appeal. The City did the work.

Iwuajoku: I was very sick. I had somebody help me bring them. I got the virus on December 29. I was really sick. From there, I went to HealthPartners, the one closest to Wabasha Bridge. See my record there.

Moermond: I cannot emphasize enough that I can't ask about your medical records. You were sick on December 26. The notice went out on March 12. If the City Council approves the assessment, would you like to have the payment divided over a number

of years?

Iwuajoku: I want it to be reduced. That time, I didn't have a job. I was sick when this happened. When they came, I let them know I'm going to get someone to help me clean it up.

Moermond: You're contradicting yourself. There was a lot of materials moved from the yard, adequate notice was given, and the City did the work. You ask for the assessment to be reduced because you think it's excessive. The Council will look at this assessment in 2021. We will give you a date and send you a letter. When it does go forward, I will ask them to divide payments over three years.

Iwuajoku: The people that came here told me that maybe I have some enemies around. That will come out. I couldn't be outside there because I was sick. There was a lot of ice.

Moermond: You said that before. I looked at the photos. I understand you disagree with my recommendation, which is fine. When we send you a letter, we'll tell you how to present to the Council. You still have a chance to talk to them.

Referred to the City Council due back on 3/3/2021

4 [RLH TA 20-353](#) Ratifying the Appealed Special Tax Assessment for property at 975 REANEY AVENUE. (File No. J2020A, Assessment No. 208535)

Sponsors: Prince

Layover to August 18, 2020

975 Reaney

Stavros Haidos is on the phone line.

Olympia Haidos is on the phone line.

Joe Yannarely: A summary abatement order was issued on March 19, 2020, to clean up litter, bags of refuse, plastic containers, tree parts, loose debris on the ground with a compliance date of March 26, rechecked on March 26, work was done on March 30 for a total of \$516. The notice was sent to Stavros Haidos on Commercial Avenue in Chicago.

(before video shown)

Marcia Moermond: I see a handrail, toilet, half a dozen big bags, 3 mattresses and box spring.

(after video shown)

Moermond: This video is dated a few minutes after. Toilet and handrail gone. Mattresses and box spring gone. My staff is on the line, too. Did you send out the materials ahead of time?

Mai Vang: I sent the video on June 11.

Moermond: Did you get that?

Olympia: We received it on June 12. We received the one dated March 17. We never received that letter in the mail. I'm requesting pictures attached to that letter. We only got the video of when Parks were there. I would like the pictures and letter attached to that complaint.

Moermond: There aren't pictures.

Olympia: Bags were not on that complaint.

Moermond: Yes they were. (Read document.)

Olympia: I'm requesting the photos. The handrails were part of my porch.

Moermond: It was lying on the ground in the middle of the yard.

Olympia: It was part of the structure of the building. We have neighbors with items laying in front of their yard, and no one bothers to pick that up.

Moermond: Is that something you want to submit? Right now, were talking about your property.

Olympia: I want pictures of the complaint.

Moermond: When a summary abatement order is written, people can say anything. We send out an inspector to confirm what is on the ground. I'm going to ask Joe Yannarely how this came to the department's attention.

Joe Yannarely: This is a vacant building. Category 2. It was in the normal course of inspection.

Moermond: You're out there every 2 weeks?

Yannarely: Yes.

Moermond: It was discovered as a regular inspection. So, you weren't being picked on by the neighbor.

Olympia: When I spoke to the person that came out, he said it was a complaint that came in.

Yannarely: I can't bring up the notes right now. This would be a routine inspection. Complaint driven or not, he is going to write a summary abatement order. He gave a week's notice.

Mai Vang: It was a complaint. Complaint came on 3/16.

Moermond: Trying to bring up a history of the inspection complaints.

Olympia: When I look it up, a complaint came in on March 15 and it went to vacant buildings.

Moermond: That would be right. They would refer to the vacant building inspection.

Olympia: It was not from a routine inspection.

Moermond: You're inspected every 2 weeks regardless.

Yannarely: It doesn't change the fact as to how it would be handled.

Moermond: You have to maintain the yard. You have a history of not maintaining the yard. You had snow and ice in 2019, more snow and ice in 2019, tall grass in 2019. This would be the 4th incident in a 4-month time period. You're saying you never got the letter. Do you get the other letters?

Olympia: I got the April one. The inspector has my personal cell number.

Moermond: He's not responsible for calling you.

Olympia: We didn't receive the March one.

Yannarely: The Chicago address valid?

Olympia: Yes.

Moermond: Do you have local people?

Olympia: Yes. My husband is there. We are there every day.

Moermond: Your mailing address is in Chicago.

Olympia: I'm in Minnesota on the weekend. My husband has been there since March.

Moermond: I'm looking at the past history. I can't get complete information. We have had other cases in the past couple of months. You are getting inspected every two weeks whether you need it or not. Getting out of the vacant building program is the way to stop that.

Olympia: We are actively working on the property.

Moermond: I'll get the rest of the info and get it to you. We can have another conversation, or I can review it and send you a letter. Preference?

Olympia: No.

Moermond: We'll send an e-mail with the additional information. That goes to Council March 3. This assessment is a cleanup. The Mayor wants the Council to consider this next year so it wouldn't go onto people's 2021 property taxes. We have time to sort through this. I'll have the department staff pull the inspection notes and get them to you. We will have an additional conversation.

Olympia: Is there a way to resend me the video? Time stamp.

Moermond: Yes.

Olympia: They are minutes apart.

Moermond: Minimum charge is one hour. August 18?

Olympia: Yes.

Moermond: We'll have information exchanged and wrap up information there.

Laid Over to the Legislative Hearings due back on 8/18/2020

5 [RLH TA 20-371](#) Ratifying the Appealed Special Tax Assessment for property at 313 TOPPING STREET. (File No. J2011B, Assessment No. 208110)

Sponsors: Thao

313 Topping

Leo Doane is on the phone line.

Marcia Moermond: Told by staff that you are the son of the owner Robert Doane.

Doane: My father is 87, Korean war vet, he is with me and in the other room.

Joe Yannarely: This assessment is for boarding on March 20, 11:00, after a fire, 5 boards, 4 doors, closed and locked, \$622.

Marcia Moermond: I have a copy of the fire report. Do you have a copy?

Doane: No.

Moermond: We will send one to you. They got the call March 20, 8:54 a.m. Arrived at 8:55. They were on scene for 2 hours, 15 minutes. They had a couple of people in there: an Anna plus Robert Doane. Five adults were displaced. It was started by a space heater. A lot of fire to put out. In the process, they broke basement windows. People needed some help and temporary shelter from the Red Cross.

Doane: There was a fire. We appreciate everyone's help. Not only the fire department. Joe being on site there. My father is 87. He is a retired schoolteacher. Not much of a pension. We are just trying to get by. Korean war vet. If you could take that into consideration. My older brother Robert has been dealing with inspectors. He has contacted three inspectors. Virgil seems like a nice man according to my brother. Dealing with plumbing and electrical inspector. We're just trying to get things back in order, and my father back in the house. Accidents do happen. Apparently, this was a huge accident and we brought a lot of people in on this. We are very respectable people. Unfortunately, this happened and we want to be responsible. My brother Robert is still doing a few things to the home.

Moermond: Turning away from the boarding for a bit, let's talk about the vacant building. As soon as the property is condemned because of a fire, you will end up in the vacant building program. The hope is that you have insurance and get permits, etc. There is an automatic vacant building fee. Staff granted an additional 90-day waiver of that fee...

Yannarely: ...until June 19.

Moermond: If you finish the program, there is no fee at all. It is six months from March 20. September 20 is when the building permits should be closed. That gets you zero fee. If you can't do that, that fee will be processed as an assessment on your property taxes. The same as the boarding. That will be appealable as well.

About the building permit, I can find an open, active electrical permit and plumbing permit. You applied for a building permit, but it hasn't been issued yet. It looks like they requested some additional information from you. They need a preliminary building inspection and the beams.

Doane: My brother had a meeting with them about the structural part of the beams. They corresponded about getting something in writing. My brother has finished that.

Moermond: The City has not issued that building permit yet. That might be something your brother can follow up on. How are you doing financially for the repairs on the house?

Doane: My father did not have insurance. My two older brothers have not taken care of things. My oldest brother Robert, if you have any questions for him...

Moermond: I'm good.

Doane: He has been on top of things for the structural permit, dealing with plumbers, electrical. The boxes were redone. Apparently, there is a new box.

Moermond: I can do a couple of things. We can push this out into the future without any interest accruing on it. The Council will not look at this until...

Mai Vang: ...May 5, 2020

Moermond: You will get an additional letter about this. It will be a long time before a bill shows up. Your father could qualify for a deferment on the assessment. We can look at that. We can also make payment dividable over a number of years. If the Council adopts the assessment May 5, 2021, an invoice will come to your dad in May 2021, if he didn't pay the invoice, it will go on the property taxes for 2022, the next third on 2023, and then 2024. That will make it small bits and way into the future.

Doane: Enlighten me on the deferment.

Moermond: That will put it out to point of sale. When it transfers, that assessment will need to be paid. In some cases, we can only defer for five years. We don't have to decide this today. We can get you information on deferral and we can look this over. We can have another conversation with you before the Council considers this in 2021. Maybe we can talk in May 2021. We can leave it open today.

Doane: We should have this cleaned up before this.

Moermond: You will get an e-mail about this being on the calendar for April 6, 2021, 9:00 a.m. We will talk about your case then. I'm inclined to recommend approval. Not in a hurry to make this difficult for your father at all. Have you looked to see if veterans' services can help in this circumstance?

Doane: That would be the next step. He would like to be back in the house and be independent.

Moermond: Maria Weatherall, Director of Ramsey County Veterans Services, her phone is 651-266-2544. She may be aware of programs that will help your dad.

Laid Over to the Legislative Hearings due back on 4/6/2021

- 6 **RLH TA 20-369** Ratifying the Appealed Special Tax Assessment for property at 690 UNIVERSITY AVENUE WEST. (File No. J2011B, Assessment No. 208110)

Sponsors: Thao

Delete the assessment.

690 University Avenue West

Wonneda Hing is on the phone line.

Joe Yannarely: This was an emergency boarding requested by property owner on March 20, 3 boards, \$502.

Marcia Moermond: Police report?

Yannarely: We did not get it.

Moermond: This looks like this business was broken into and the others were not. We contacted Restoration Professionals. "She requested that I keep them enroute to assist them in boarding up since they did not have the materials to do so."

Hing: I was called by my security system about 2:00 a.m. saying the police were at site. Two doors were smashed. We got there. The office said Public Works is on their way to board it up. I never got this done before. I thought this was a free service. We even helped him clean up. If the officer advised me that this would cost, I would have done it. We are capable of doing that. If I would have known, I would not let them do that. Me and my husband were doing nothing. He already called Public Works and everybody is on their way.

Moermond: Sounds like your alarm system went off and Public Works happened to be in the area, they called the police, and that's what brought the police to the scene. Public Works would have nothing to do with boarding the building later. Restpro did the boarding and cleanup.

Hing: If he would have notified us, I would not have had them come.

Moermond: I was not there for the conversation with the officer. It sounds like he may have assumed there was a cost. I can tell you it is an emergency circumstance, and police are not allowed to leave the scene if it isn't attended. You were there. You happen to be there. I will delete the assessment.

Referred to the City Council due back on 5/5/2021

- 7 **RLH TA 20-363** Ratifying the Appealed Special Tax Assessment for property at 413 WACOUTA STREET. (File No. J2011B, Assessment No. 208110)

Sponsors: Noecker

Approve the assessment.

413 Wacouta

Sooki Jalali is on the phone line.

Joe Yannarely: Boarding requested by Police on March 15, 2020, at 1:30 a.m. They secured the building for \$442.

Marcia Moermond: I have a police report. In the narrative, it said that they received a phone call about activity. A person called in and said there was a broken window on a building. Did you get a police report?

Jalali: No.

Mai Vang: I sent it to her on June 23.

Moermond: It should be in your e-mail.

Jalali: I will look for it.

Moermond: The police showed up, rock on the ground, multiple phone numbers of the business. Tried to get ahold of the key holder and had the dispatcher check. Negative results. Boarding crew came.

Jalali: They are tenants. I am the property manager, and I own the building. The police may not have the current phone number.

Moermond: The key holder is identified how?

Leeann Shaff: I do not know. That information is populated through AMANDA or STAMP, the fire certificate of occupancy responsible party.

Moermond: When you have a fire certificate of occupancy inspection, the property managers on that form with the program, that is the key holder. Adagio DJay Entertainment is the key holder for this building. That would be why they got the phone call and not you. We will check to see if we have that right.

Jalali: They have been fired for a year.

Moermond: No one changed the information for the City. We will get your forms to change the responsible party. They made two calls and were not successful getting ahold of either.

Jalali: They just do this if they can't find anyone?

Moermond: Yes. If the building is open, they couldn't leave the scene without securing it for liability reasons. They weren't able to get ahold of someone. They had to hire someone to secure it. Would insurance cover this?

Jalali: We have a \$5,000 deductible, so it wouldn't touch it anyway. We will take responsibility to pay it. We just didn't know what happened. Due to riots, it says on the letter.

Shaff: The next fire certificate of occupancy is due June 2021. The last time ownership was updated was in 2018. It is the responsibility of the ownership to let them know.

Moermond: Forward that form to appellant Jalali. City Council won't be considering

nuisance abatements until next year. This will be discussed May 5, 2021. You won't receive an invoice until next year. It will show up on the 2022 tax statement if you don't pay it. No late fees or interest accruing. I will recommend approval. Vang will send out that form.

Referred to the City Council due back on 5/5/2021

- 8 [RLH TA 20-364](#) Deleting the Appealed Special Tax Assessment for property at 912 YORK AVENUE. (File No. VB2007, Assessment No. 208806)

Sponsors: Yang

Delete the assessment.

Referred to the City Council due back on 7/15/2020

10:00 a.m. Hearings

- 9 [RLH TA 20-373](#) Ratifying the Appealed Special Tax Assessment for property at 1450 DALE STREET NORTH. (File No. J2011E, Assessment No. 208316)

Sponsors: Brendmoen

To be referred back to January 19, 2021 @ 9 am and if no same or similar violations, will delete the assessment.

1450 Dale Street North

Rose Ntambwe is on the line.

Swahili interpreter is here from University Language Center.

Lisa Martin: This is regards to a summary abatement order dated January 27, 2020, compliance date of February 10, rechecked February 12, requested and granted an extension to the 19th. The excessive consumption fee was assessed for a total of \$157. There has been an ongoing problem since October 21, 2019.

Ntambwe: They told me to clean the place. My son did that in February. The neighbors are the ones who are throwing the trash in the compound.

Marcia Moermond: What we talked about last time was a cleanup on February 26. It looks like the inspector came by two weeks earlier on February 12, which was the deadline for the work to be done. Because the work was not done on that day, they want to charge you for the inspector's trip. You don't think you have to pay because you didn't create the mess on the property, is that right?

Ntambwe: I had receipts. When the inspectors came, they took everything, so I didn't answer. Every day when I go to work in the morning, someone parks their car there. My sons sees him.

Moermond: That has nothing to do with the deadline on the cleanup of the yard.

Ntambwe: You want me to pay for that?

Moermond: You were supposed to have the work done on February. 10. It was not done on February 12. So, yes, they want you to pay for that trip.

Ntambwe: I don't have money. Sometimes I walk to go to work. Corona has drained my finances.

Moermond: I understand that the yard is still a mess, is that true?

Ntambwe: It is not trash. There are things from inside that are outside.

Moermond: We have talked about this. Inside things need to be inside and not outdoors.

Ntambwe: The things that you told us to remove, we removed everything.

Moermond: You're going to have to make sure the yard stays clean. If there are not complaints or orders until January 2021, I will recommend it be deleted. You have to get it clean and keep it clean for 6 months in order to make this go away. If there is a valid complaint that requires the City to issue orders, you are going to have to pay this bill. We will look at this again on January 19, 2021, to confirm if there are valid orders on the property.

Ntambwe: Neighbors are not good. One person who works at the City used to throw things in the parking lot, and I would get tickets.

Moermond: You have to keep your yard clean. The amount of things in the yard are from your own family. You need to keep it clean and organized. The person issuing the correction order is Richard Kedrowski who you have dealt with in the past and who isn't the neighbor. We will look at this in six months, and I wish you well.

Ntambwe: How do you know it is not Richard paying the neighbor?

Moermond: You need to keep the yard clean. You have to look at your yard and take care of it. Then there is no reason for someone to make a complaint.

Referred to the City Council due back on 8/19/2020

10 [RLH TA 20-374](#) Ratifying the Appealed Special Tax Assessment for property at 768 DESOTO STREET. (File No. J2008E, Assessment No. 208307)

Sponsors: Brendmoen

Approve the assessment.

768 Desoto Street

Antonio Grajeda is on the phone line.

Marcia Moermond: It looks like you are scheduled for public hearing next Wednesday for City Council.

Lisa Martin: There was a summary abatement order sent out on November 7, 2019, sent to a p.o. box in Savage. Total assessment is \$157 for excessive inspection for garbage, rechecked November 14. We sent a work order. Work was done by the owner when the crew got there. No mail returned. History at this property of garbage: 8/5/19, 4/18/19, and 3/26/19.

Moermond: *Why are you appealing this and what are you looking for today?*

Grajeda: *Didn't get a chance to fix it up. They destroyed everything in the house. I want to fix it up. Inspector came on November 5 generally. I can't remember the day. I was working, cleaning. I scheduled for the garbage to be picked up. I am there almost every single day. I was working on it.*

Moermond: *I'm looking at photos what were taken when the inspector went back again. Mai, did you share the photos?*

Grajeda: *Yes.*

Moermond: *on November 14, there was trash all over the ground. That is not something the garbage company is going to clean up for you. You need to pick up the trash and put it in the container. That may be the problem there: that wasn't picked up. That is what the inspector saw. Basically, the inspector is saying you weren't done on deadline. He made a trip and had to call a crew to clean it up. By the crew got there, it was cleaned up.*

Grajeda: *I had people working with me. They showed up late in the day. I had people working with me to pick up garbage, throw it out, painting, and doing other things. I was there for days. It was not there for 1 or 2 days. It was picked up.*

Moermond: *There have been four instances in the last year where the City has sent you letters about garbage around the property. Each case, when you got the letter, it was addressed before the work crew showed up. It looks like this time they want to charge you for sending out a work crew. I'm looking for a reason why it was not done on deadline and why we shouldn't charge you for the crew being dispatched.*

Martin: *I was just looking back at the file. We have got garbage, diapers, food, a bunch of stuff on the property going back to 2009. In the past 12 months, we've had several complaints. But this goes back to managing the property and making sure you have someone responsible taking care of the issues, so the City is not sending letters.*

Grajeda: *I talk to people. People are living there.*

Moermond: *Of course, people are living there. I don't know why you are not responsible for maintaining. I am not hearing a reason why you shouldn't be responsible for having it done on time.*

Grajeda: *Obviously I'm not. Since 2009, yes, I had some problems there. I always go and take care of the problem.*

Moermond: *Not hearing a reason why you shouldn't be charged for the crew being dispatched.*

Grajeda: *Okay. Take half of it off.*

Moermond: *I'm going to charge the whole thing. This is not a negotiation.*

Grajeda: *(Arguing)*

Moermond: *I would have more sympathy if you did not have a history at this property. I will recommend approval of this property.*

Referred to the City Council due back on 7/15/2020

- 11 [RLH TA 20-380](#) Ratifying the Appealed Special Tax Assessment for property at 2095 GERANIUM AVENUE EAST. (File No. J2011E, Assessment No. 208316)

Sponsors: Yang

Layover to Aug 4 @ 10 a.m.

Laid Over to the Legislative Hearings due back on 8/4/2020

- 12 [RLH TA 20-372](#) Ratifying the Appealed Special Tax Assessment for property at 75 ISABEL STREET EAST. (File No. J2011E, Assessment No. 208316)

Sponsors: Noecker

Layover to Aug 4 @ 10 a.m.

Laid Over to the Legislative Hearings due back on 8/4/2020

- 13 **RLH TA 20-347** Ratifying the Appealed Special Tax Assessment for property at 1288 JESSIE STREET. (File No. J2020A, Assessment No. 208535)

Sponsors: Brendmoen

Approve the assessment.

Appellant is no longer appealing this assessment.

Referred to the City Council due back on 3/3/2021

- 14 **RLH TA 20-375** Ratifying the Appealed Special Tax Assessment for property at 169 MARYLAND AVENUE WEST. (File No. CRT2011, Assessment No. 208210)

Sponsors: Brendmoen

Approve the assessment.

169 Maryland Avenue West

Hieu Vo is on the phone line.

Leeanna Shaff: This is an assessment for unpaid fire certificate of occupancy fees, \$363. This is a single-family dwelling. Appointment letter January 7, 2020, and January 13. Bills sent out February 13 and March 16. No returned mail.

Marcia Moermond: What are you looking for?

Vo: I pay this every year when I receive it. I didn't see it this time. I didn't pay it because I didn't see the bill. After COVID, mail is missing a lot.

Moermond: This happened before COVID. That wouldn't apply.

Vo: *I didn't see the bill. What should I do?*

Moermond: *It went to the property manager. You guys have to talk to each other.*

Vo: *He lives next to me. I never miss any bills. I know how the mail goes. I'm willing to pay it, but it's not my fault.*

Shaff: *We sent out two letters on two different dates--February 13 and March 16--with no return mail.*

Vo: *I understand that. If you look at my record...*

Shaff: *We don't do a look back on that.*

Moermond: *The bill that was sent on February 16 also went to Trinh. You never had it set up to go to you. It is set up to go to the property manager. This is not something about the City. It was sent to the property manager Trinh.*

Vo: *I talk to him.*

Moermond: *No returned mail to the City. The mail went through. What are you looking for today?*

Vo: *I'm willing to pay the bill. Bottom line: we didn't receive it.*

Moermond: *There were 2 letters sent. Statistically, I don't know if your argument will hold water. I find it unlikely both went missing. I'm inclined to recommend approval of the entire assessment.*

Vo: *If you want me to pay it full, I will pay it in full.*

Moermond: *You're a Class A property. Your reinspection is not for how long?*

Shaff: *Six years.*

Moermond: *You're responsible for paying this.*

Vo: *I will pay in full.*

Moermond: *This goes to City Council on August 19.*

Referred to the City Council due back on 8/19/2020

- 15 RLH TA 20-370** Ratifying the Appealed Special Tax Assessment for property at 763 MINNEHAHA AVENUE EAST. (File No. J2011E, Assessment No. 208316)

Sponsors: Yang

Public hearing continued to January 6, 2021 and if no same or similar violations, will delete the assessment.

763 Minnehaha Avenue East

*Som Lee is on the phone line
Lisa Martin is on the line*

Martin: This was a notice to remove snow and ice dated February 12, 2020, compliance date of February 14, work was not done on February 18, work was done by owner on February 19. Total assessment of \$156.

Marcia Moermond: Previous orders on this property?

Lee: I got the letter. I went and put ice and salt and shoveled the snow. The next building is vacant. Did you put me onto that building? I shoveled and put ice and snow on the sidewalk. The photos showed the sidewalk, and the inspector took pictures in front of the house. It also looks like snow and ice for two properties. The building next to mine is vacant. When I shovel snow and ice, it comes down to my property.

Marcia Moermond: It does not look like that is what happened here. I'm looking at something else. How do you maintain the property?

Lee: I shovel and put ice on it.

Moermond: The letter went out on February 12. The inspector checked on February 18 and the work was not done. The day before, two inches of snow fell, but I can tell the difference between the old ice and the fresh snow. The department wants to charge you because they dispatched the Parks crew. By the time they got there, you had done it. You have a history of a couple of problems at this property.

Lee: When I receive a letter, I always take care of it.

Moermond: The City should not have to send you letters to tell you to do this. I'm going to push this out for six months. If you don't have anymore violations in the next six months, I will delete it. Otherwise, you will have to pay it. I will look at this on January 5, 2021. If there is a founded complaint, we will recommend approval. You have a chance to get out from underneath it.

Lee: I'm supposed to deal with 765 Reaney, too.

Mai Vang: No assessment for that one. (Note: the application for appeal on 765 Reaney arrived on July 8 and is scheduled for Legislative Hearing on July 14.)

Referred to the City Council due back on 8/19/2020

- 16 RLH TA 20-389** Ratifying the Appealed Special Tax Assessment for property at 496-498 PRIOR AVENUE NORTH. (File No. J2007P, Assessment No. 208406)

Sponsors: Jalali

Delete; waiver on file.

Referred to the City Council due back on 5/5/2021

- 17 RLH TA 20-366** Ratifying the Appealed Special Tax Assessment for property at 517-521 SELBY AVENUE. (File No. J2007P, Assessment No. 208406)

Sponsors: Thao

Delete; waiver on file.

Referred to the City Council due back on 5/5/2021

- 18 RLH TA 20-368** Ratifying the Appealed Special Tax Assessment for property at 564 SIMPSON STREET. File No. CRT2011, Assessment No. 208210

Sponsors: Jalali

Approve and spread payments over 2 years.

564 Simpson

Don Maietta is on the phone line.

Leeanna Shaff: Fire certificate of occupancy unpaid fees for a single-family dwelling, \$466. Received no return mail. Appointment letters were sent to 366 Prior Avenue North. Appointment letters and correction letters were sent to Adam Peterson, 902 Sixth Street East. Responsible party was updated by the inspector three days before the compliance date. It went to 60 Magazine Street. Entry fees were deleted because we cannot assess no entry fees. This reflects the initial and one additional inspection and service charges.

Marcia Moermond: Bills were the initial fee of \$206 to get the fire certificate of occupancy, reinspection fee of \$103--half of certificate of occupancy fee--and two times when inspectors went there and no one showed up, \$70 for each trip. As part of the assessment, the no show fees go away when you process it as an assessment, which is the service charge. It is kind of a wash. It is pretty much the same thing as the bill is initially.

Maietta: We don't even own the property anymore. It was in foreclosure. I'm a 40 years real estate broker. We did pay a number of delinquent charges. We were also charged the tax assessment. One was \$309. I called to see if it was the same or different \$309. Were any of the fees on the 2020 taxes?

Moermond: They are newer. The bills went out in January 2020.

Maietta: We didn't own it in January 2020 and don't own it now. I don't know the buyers. My sense is they shouldn't have to pay it either. We literally owned it for about 90 days.

Moermond: When you sit down to do a closing, don't you initial pending orders and fees? That would be something the seller attests to.

Maietta: When I called, I was told it would be put on the taxes.

Moermond: How is it the City's responsibility?

Maietta: I'm suggesting that the owner was extremely ill. Allen Peterson was collecting rent. I was calling the City to let you know that we were not aware of these things. We shouldn't have to pay it. We paid a number of delinquent fees. I don't think you are going to get anything out of the east coast.

Moermond: The responsibility is the owner of the property. Because it was flipped,

there are multiple owners. The City is not going to bill someone new or old. I see the notified people were Equihance.

Maietta: That is our company. We owned it for about 60 days.

Shaff: It looks like Mr. Opie used the fire certificate of occupancy in lieu of truth-in-sale-of-housing.

Marcia: He needed a TISH or certificate of occupancy to sell it to you. The argument that a certificate of occupancy is not required is not quite right.

Maietta: I called because I felt compassion for the new buyers.

Moermond: Velez shows up on the taxes. When the notice went out, it was you as the owner. It is a communication you all should be doing. Maybe the City Council will look at this differently.

Maietta: I was looking out for the new people.

Moermond: The Council is considering this on July 19. The complaint is legitimate. I will make this payable over two years so the bites are smaller for the Velez who are new homeowners. I don't have a lot of options under the City Charter. Lyman Opie misrepresented the information.

Referred to the City Council due back on 8/19/2020

- 19** **RLH TA 20-362** Ratifying the Appealed Special Tax Assessment for property at 2124 UNIVERSITY AVENUE WEST. (File No. J2007P, Assessment No. 208406)

Sponsors: Jalali

Delete; waiver on file.

Referred to the City Council due back on 5/5/2021

- 20** [RLH TA 20-354](#) Ratifying the Appealed Special Tax Assessment for property at 603 VIRGINIA STREET. (File No. J2018A, Assessment No. 208530) (Legislative Hearing on July 7) (Amend to delete)

Sponsors: Thao

Delete the assessment.

603 Virginia Street

Christopher Her is on the phone line.

Lisa Martin: Summary abatement order issued on February 5, 2020, rechecked February 6, work was not done, total assessment of \$322, history from 12/4/18 for snow.

Marcia Moermond: Two weeks between the orders issued and work done.

Her: Just brought the property from someone else.

Moermond: When did you buy it?

Her: Toward the end of December or beginning of January.

Moermond: The notification to shovel the walk went to old owner during the time period you owned it. The County records were not up to date. I will recommend the assessment be deleted.

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

- 21 [RLH TA 20-367](#) Ratifying the Appealed Special Tax Assessment for property at 491 WHEELLOCK PARKWAY EAST. (File No. J2011E, Assessment No. 208316)

Sponsors: Brendmoen

Unable to reach; layover to Aug 4 @ 10 a.m.

Laid Over to the Legislative Hearings due back on 8/4/2020

Special Tax Assessments-ROLLS

- 22 **RLH AR 20-99** Ratifying the assessments for Collection of Vacant Building Registration fees billed during August 22, 2019 to February 18, 2020 . (File No. VB2011, Assessment No. 208813)

Sponsors: Brendmoen

Referred to the City Council due back on 8/19/2020

- 23 **RLH AR 20-100** Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during January 8 to February 15, 2020 . (File No. VB2011, Assessment No. 208813)

Sponsors: Brendmoen

Referred to the City Council due back on 8/19/2020

- 24 **RLH AR 20-101** Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during January 21 to February 20, 2020 . (File No. J2011E, Assessment No. 208316)

Sponsors: Brendmoen

Referred to the City Council due back on 8/19/2020

- 25 **RLH AR 20-102** Ratifying the assessments for Securing and/or Emergency Boarding services during March 2020 . (File No. J2011B, Assessment No. 208110)

Sponsors: Brendmoen

Referred to the City Council due back on 5/5/2021

- 26 RLH AR
20-103 Ratifying the assessments for Graffiti Removal services during March 4 to April 20, 2020 . (File No. J2007P, Assessment No. 208406)

Sponsors: Brendmoen

Referred to the City Council due back on 5/5/2021

11:00 a.m. Hearings

Summary Abatement Orders

- 27 RLH SAO 20-8 Appeal of Wilma J. Houska to a Summary Abatement Order at 1552 ARLINGTON AVENUE EAST.

Sponsors: Yang

Grant to August 3, 2020 for clean out of the garage and grant to October 1, 2020 for the repair or removal of the garage.

1552 Arlington Avenue East

The following are on the phone lines: Wilma Houska, owner; Mireille Moorman, daughter; Paula Seeley, Code Enforcement.

Seeley: Order sent on November 2019. Due to previous in 2018, the file was transferred to me. I went out two times for excessive consumption on these. On several occasions, I spoke to the owner. I referred Wilma to make repairs to garage or remove it. Zong said that Wilma did not want the help because she did not want a loan. I have been giving Wilma extensions on this. The garage is full, and the door is off. There was a grocery cart full of trash. The garage could be repaired. Now it has a lean to it. Wilma would like to raze it. It would probably be cheaper to tear it down.

Moorman: My mom could not be approved for any loan. She is living off of \$399 a month. I am helping her. I'm the one who is providing her things. She has six children. We all work in health care. My brother is under quarantine. My other brother is working around the clock. It's really hard right now. The brother that would be able to fix it is under quarantine. We can try to make it. The door is off. We can put on a door temporarily right now.

Marcia Moermond: What is inside the garage, has to come out. If there is a full garage, we have a lot of things inside the house, too.

Moorman: No. We have a dumpster. I ended up cleaning out my mother's house. There was extra stuff. He left stuff in the garage. There are a couple of old couches that we couldn't put in the dumpster. Personal stuff is in the garage. We can get it fixed up.

Moermond: There are a few things going on here. I'm hearing you want an extension to deal with the garage. There are 2 issues: open and messy and structural. Mother is having problems and she doesn't have a lot to live on. Have you talked at all to House Calls?

Houska & Moorman: What is that?

Moermond: Your mother is a senior citizen and may qualify for additional assistance. I'll give you the information now and we will mail it to you.

Moorman: I will help her with the paperwork.

Moermond: It is a department in the Department of Public Health. Lauren Lightner, 651-266-1285, cell 651-245-2644. She can help figure out what kind of assistance your mom can qualify for. She can offer a free dumpster if your mom can qualify. Lauren has a lot of things she can help with.

Moorman: She was at a point where they were going to turn off her lights.

Moermond: Write down a list of issues and concerns. She will want to see income related things. It is a pain to fill that out. I want to go back to talking about the garage. Removing the rubbish, trash, debris.

Seeley: The garage is completely full. It would be in their best interest to not throw money into the garage. It is starting to lean. It's torquing. It is eventually going to go.

Moorman: That is what we were thinking.

Moermond: Deadline for cleaning the garage and another deadline for fixing or knocking down. A lot of stuff in the garage belongs to one of your brothers.

Moorman: We'll have a get together to clean out her garage.

Moermond: Have to have the work done by July 30. The inspector can confirm on the 31st if it's done. You can work with Lauren to get a dumpster. I think for dealing with the structure, I don't have information that it is in danger of imminent collapse. I have information that it's not in good shape. October 1 for the garage. When neighbors see work being done, they feel better about the issue. Talk to Lauren sooner rather than later.

Moorman: I have some time to take off.

Seeley: Not sure the dumpster will fit back there.

Moorman: It can be in the front. If she can help with the dumpster, we don't care where it is.

Moermond: Let's change this. Let's give the deadline of August 3.

Moorman: You want it cleaned out. We will promise you.

Referred to the City Council due back on 7/22/2020

Orders To Vacate, Condemnations and Revocations (Code Enf)

- 28** [RLH VO 20-22](#) Appeal of Marie Senn to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 1619 BEECH STREET.

Sponsors: Prince

Grant the appeal, noting the condemnation is lifted and DSI staff will convert remaining items to a Correction Order with a August 3, 2020 deadline.

1619 Beech

Lisa Martin: An August deadline is fine. The placard is lifted. Items put on a notice.

Marcia Moermond: She agreed on site about the deadline. We'll do the resolution noting the appeal is granted because the condemnation is lifted. The remaining items will be converted to a correction notice with an August 3 deadline.

Referred to the City Council due back on 7/22/2020

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations (Fire)

- 29 RLH VO 20-19** Appeal of Thuzong Xiong, Southern Minnesota Regional Legal Services, representing Renee Raya, to a Revocation Fire Certificate of Occupancy and Order to Vacate at 1242 WOODBRIDGE STREET.

Sponsors: Brendmoen

Grant to October 1, 2020 for compliance or the property must be vacated by November 1, 2020.

1242 Woodbridge Street

Thuzong Xiong, SMRLS, is on the phone line.

Renee Raya is on the phone line.

Leeana Shaff: Last time, we wanted a full inspection with a report for today. Inspector Thomas had an inspection last Thursday, the 2nd, 1:00. He was able to abate all the things that were the tenant's responsibility. The only remaining items are the landlord responsibility.

Marcia Moermond: What are those? Is the April 10 list the most recent?

Shaff: Inspector Thomas did not generate a letter to tell you what is left on there. He wanted to see what was going on in here.

Moermond: Is June 25 the most recent written document that you were abating orders off of that were the tenant responsibilities? That was the basis?

Shaff: Yes.

Moermond: Back fence repair would be the owner?

Shaff: Yes, it would be. We will hold the owner responsible, but the owner is saying the tenant put it there, but that's their deal. The items left are section of fascia on the side of the house that has fallen off, chipped and peeling paint around the windows,

walls with holes, black spots, awning around the house is bent and damaged, long section of gutter is broken off, so there are some drainage issues, large opening in the ceiling inside the closet, properly repair the hall in the front closet, chip and peeling paint, windows that are missing, latches or latches that won't work, loose broken glass, ensure that all the windows open and close properly, and smoke detector affidavit.

Moermond: The only one that gives me pause is the broken window and windows being able to open and close. Bedroom?

Shaff: He just says to make sure all windows open and close.

Moermond: Some don't open well?

Raya: Yes.

Moermond: We have gotten down to deferred maintenance. The big safety item is the opening and closing of the windows. Anything to add?

Shaff: If Franquiz thought it was life-safety issue, he would have pinpointed that out. It would have been more specific than a general order. Some windows don't have a latch, some latches don't work. Lots of deferred maintenance.

Moermond: What do you have in the works?

Xiong: I sent a demand letter. That landlord has not responded. More recently I sent an offer to the landlord. That has not been responded to. I'm exploring options with the client, including a TRA. District Court is not hearing TRA or housing cases right now. A remote hearing is potential. That is something I'm exploring.

Moermond: May 28, you sent information to us and sent photos a week or two later.

Xiong: My second offer was not provided to you this morning. I think the inspector was James Thomas and not Franquiz.

Shaff: I'm sorry. The original inspector was Franquiz.

Moermond: You want to get your client out and engaged in conversation?

Xiong: In essence, the issues that remain are deferred maintenance. Our request will be to provide more time to get a response from the landlord. If they will not respond to me, we will make a determination on whether to file a TRA and to see if the court will hear the case.

Moermond: I'm of the thinking that we should be looking for three to four month timeline.

Shaff: We've been dealing with this since last December. We have multiple inspections.

Moermond: We have a tenant in there that does not have an ability to fix things. We have given a long term warning ahead of time.

Shaff: Three to four months, if it isn't done by then, it won't get done anyway because

we are late in the season.

Moermond: *Ninety days range then. October 1? We would look at a vacate date of November 1. July, August, September to comply.*

Referred to the City Council due back on 7/22/2020

30 [RLH VO 20-24](#)

Appeal of Margaret Keintz to a Correction Notice, including Condemnation, at 1181 EDGCUMBE ROAD, UNITS 1101 & 1103.

Sponsors: Tolbert

Owner has withdrawn the appeal, noting condemnation has been lifted and is working on compliance date with inspector on remaining items.

Withdrawn

31 [RLH VO 20-25](#)

Appeal of Jeff Langer to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 949 IOWA AVENUE WEST.

Sponsors: Brendmoen

Grant to September 1, 2020 for compliance with the cement work and roof or the property must be vacated on October 1, 2020.

949 Iowa Avenue West

Jeff Langer is on the phone line.

Michael Kuchta is on the phone line.

Leeanna Shaff: These orders are leftovers from what was approved with corrections on September 13, 2019. There was an appeal filed on November 6 and denied on no show. Came back. City Council gave until June 15 to bring into compliance. It was revoked because it was not in compliance.

Marcia Moermond: Six-month extension was put in place.

Langer: The garage, need a new roof, stairs, windows, and need an inspection on the door. The roof, permits have been pulled, waiting for SELA to complete that. We're also doing the gutters and the fascia around the garage needing to be painted. There is a hole in one of the sections. I have a contract out with a concrete company to do the stairs. My neighbor's boyfriend feels we can repair it without pulling out the whole stairs. #4 on the list is done. Virgil Thomas is coming out Friday to inspect the door. I'm asking for the work scheduled to have done is done. I'm asking for an extension to have them come out and do it. I've been waiting on SELA since May.

Moermond: Permit was pulled June 25. That is ten days after the extension granted in December. You had a lot of lead time on that. Mr. Kuchta?

Kuchta: We have nothing to say. We are here to gather facts.

Moermond: You're saying that you'll be able to have it done in short order

Langer: They're saying the roof will take a day and a half. I need a day after that to make sure everything is painted. Neighbor's boyfriend will fix the stairs. If I can do it myself and not have to pay \$2,000...While we are waiting, it will be SELA.

Moermond: When will SELA do it?

Langer: Permits pulled end of June. They will be out mid-July. They are still on track for that. Asking for a little extension to get the work done.

Shaff: I request that it stays under revocation until it's complete.

Moermond: Cement work by September 1. That covers you for a couple of setbacks that sometimes happen. We'll put an extension into place for October 1, 2020. I think we can get this done.

Langer: I agree.

Moermond: You've got your second extension. Hopefully things will go through smoothly.

Referred to the City Council due back on 7/22/2020

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 32 [RLH FCO 20-39](#) Appeal of Robin Magee to a Correction Notice-Reinspection Complaint at 464 MARSHALL AVENUE.

Sponsors: Thao

Grant the appeal. Grant extension to October 5, 2020 for compliance with the June 30, 2020 Order. (NOTE: file will be transferred to Code Enforcement. Staff report on January 12 to confirm title change)

464 Marshall Avenue

Robin Magee is on the phone line.

Marcia Moermond: Fire certificate of occupancy was sent to me on an old order. I wanted to touch base on that. We haven't discussed the old order. I also want to discuss the program issue.

Leeanna Shaff: Not an old order. Actually, we received a complaint on June 25 that the garage burned down three years ago and now raccoons are in the garage. On June 29, Inspector Toeller went to the property. There was a garage fire. Orders were sent to take care of the garage.

Moermond: We have that and whether to be in the certificate of occupancy program.

Magee: I did not get those letters yet. I saw two that were from something else. The garage is not in repair. I think I saw a raccoon, but I didn't see it living there. It is not a place where there is food. It is not wide open. I'm going to try a different approach to getting it repaired.

Moermond: Fire damaged structure, open to entry, possibility of an animal. It would be a violations that is called out on rental property in the same way it is called out to

owner occupied property. If you are out of the certificate of occupancy program, it would be Code Enforcement staff. Have you talked to an attorney?

Magee: We would foreclose by advertisement. It has to be notified. That is in the works.

Moermond: They could ask for a hearing even though by advertisement.

Magee: They could. It is an abandoned property.

Moermond: Have you guys got paperwork filed?

Magee: Yes. She's been on vacation. She can get things out in two weeks.

Moermond: I want to say that I'll put a resolution in front of Council giving you six months to establish ownership in your name. We'll put it in January then. I would like to do a follow-up appointment. If you are not in ownership at that time, we will put you back in the fire certificate of occupancy program, even only on a temporary basis. In terms of the garage, which unit is it associated it?

Magee: It's a three-car garage associated with both. Just had a contractor that left with the money.

Moermond: Looking at it, the fire certificate of occupancy, he gave you until July 27 to come into compliance. Is that a deadline that works for you?

Magee: It doesn't work.

Moermond: What would work? Three months?

Magee: Three months is good. I can get materials in that time.

Moermond: We will put a three-month extension on it. First week of October. I'm trying to figure out if we transfer the file to Code Enforcement or have Fire follow-up. Transfer?

Shaff: Yes.

Moermond: We will transfer it to over to Code Enforcement.

Referred to the City Council due back on 7/22/2020

**33 RLH FCO
20-67**

Appeal of Sergio Andrade to a Fire Inspection Correction Notice at 1223 BUSH AVENUE.

Sponsors: Yang

Grant to August 7, 2020 for compliance.

1223 Bush Avenue

Sergio Andrade is on the phone line.

Leanna Shaff: This is a certificate of occupancy correction, Inspector James Thomas. On this property, all the letters with the exception of the last one went to a Dago at

6383 Oxford Road North in Shakopee, Minnesota. You, Dago, and Luis are brothers?

Sergio: They are both brothers. I am not brother to them.

Shaff: We have a no entry to the property on 3 occasions. When Inspector Thomas made entry on May 20, he wrote correction orders. Those orders were sent to Dago. There was to be an inspection on the 26th, which did not happen because Inspector Thomas was ill. He did send out a letter with a date and change time to July 2. The owner states that he didn't know there was an appointment coming up, so Inspector Thomas also sent the owner a letter on June 25 that there would be an inspection on July 12. All the orders are the same since the inspection in May except there were multiple moving parts about who was living where and who was to get the orders. You are the one who fixes the property?

Sergio: I'm more of an interpreter/translator. Mr. Luis Diago's English is limited. That's the reason why I was involved.

Shaff: Dago has also now moved to Huntington Park, California?

Sergio: I do not know that. I just know that Luis lives in Huntington Park on the Templeton Street address.

Moermond: You are appealing on behalf of the owner?

Sergio: Yes.

Moermond: His brother had been living at the property during the time period of these appointment letters and inspection letters?

Sergio: That is not correct.

Shaff: The letters all went to the address in Shakopee. It seems that Dago moved around a bit. Inspector Thomas indicated at one point, his wife kicked him out or something and he went to the property with you, Sergio?

Sergio: I have not had any contact with Dago. My contact has only been with Luis.

Shaff: Sounds like the brothers are not communicating.

Sergio: The information I have is that the letters went to the same address. I have not seen any letters from Shakopee. The first letter, establishing the May 20 inspection went to Huntington Park, California. The second letter from June 25 also went to that address. I have not seen a letter for the Shakopee address.

Moermond: Let's establish a record on this: January 13, 2020, appointment letter was sent to Dago at Shakopee; January 29, an appointment letter sent to Dago at the Shakopee address; March 9 appointment letter sent to Dago at the Shakopee; April 6 appointment letter was sent to Dago at Shakopee address; April 27 appointment letter was sent to Dago at the Shakopee address; May 20 correction order was sent to Dago at the Shakopee address; June 16 order was sent to Dago at the Shakopee address; June 25 order was sent to Luis in Huntington Park, California.

Shaff: The reason for the letter on June 25 was to reiterate to Luis that he was not getting the letters. Much more notice given. These orders hadn't changed since the

original orders sent to Dago on May 20.

Sergio: I am looking at a letter dated May 2020 that was sent to Luis. I have been involved since that time. I was not aware of the previous letters that you cited dating back to January 13 that were sent to Dago. My involvement was from May 2020. Since that time, all I've seen are the letters going out to Huntington Park, California address. There may have been letters that went to both addresses. I have copies of both of those letters that were addressed to de Haro. That is my understanding.

Shaff: The letters have not changed. It's just appointment dates that have been moved. There was nothing about extensions. They have been the same since May

Sergio: The difficulty arose when there was an inspection scheduled on June 22. On that date, Mr. Thomas was ill and did not appear at the address. Thereafter, on June 25, Luis received a letter saying that on July 2 there was going to be an inspection with additional things added—electrical—to the previous order. He was given a total of 6 days in order to complete those additional tasks. We tried calling around to find out if we could have a contractor because those electrical corrections required a licensed electrician.

Moermond: When I look at the order, the order dated June 25 referenced a May 20 inspection. There may not be a difference in the orders, but that is a narrow window because it took 5 weeks for the letter to be generated.

Shaff: You're interpreting it differently. Inspector Thomas was sick. It is a reschedule of something. He didn't write in there "I am sick so this is rescheduling this appointment."

Sergio: I looked and compared. There are additional items on the June letter. The additional items are the outlets.

Moermond: I see that on the June 16 letter.

Shaff: I see that on the June 16 letter and June 25.

Sergio: Who is the June 16 letter addressed to?

Moermond: The June 16 is addressed to Dago.

Sergio: That is the problem.

Moermond: That is who Luis designated as his responsible party for the property. That is a problem he set for himself. Moving forward, I can tell he does not want things that way.

Sergio: Why was the June 16 sent to Dago while previous letters were sent to Luis?

Moermond: The case you drew to my attention, I see they went to both parties and previous letters did not. I'm not sure what your ask is. This is a spider web that the City didn't create. How do we get out of it? Who lives in this property right now? We have an out of state owner. Are you representing him as a property manager as well as an interpreter? He is in California and not doing the repairs himself. Does he have someone here? Does he commute back and forth? I'm looking at some specifics.

Sergio: I would request an extension to be able to comply with all of this. Two weeks is more than sufficient. He designated me to represent him before this appeal. I can have a quick discussion with him. It would not be a problem with him if the letters were sent to me. As an interpreter, I can communicate that to him. It would be quicker for me to respond to whatever requests are here. It would not be a problem to send the letters to me.

Moermond: Do you have an e-mail address for him?

Sergio. No. In fact, I have requested an e-mail, but he says he is not competent with regards to social media or e-mails.

Moermond: I am fine with you representing him in a hearing. Moving forward as a property manager and fire certificate of occupancy responsible party, there is a form that he needs to fill out designating you as the person. We can send it U.S. mail. He needs to fill it out designating you going forward that you need to be contacted to manage his affairs up here.

Sergio: Perfect resolution.

Moermond: In the meantime, you're looking for an extension. Who is living there?

Sergio. I believe there is one sole individual that I saw when I went to the address. I didn't see anyone else.

Moermond: Let's push this out to August 7 for your deadline. You will have an appointment with the fire inspector. The letter will go to Luis. Deadline goes out a month. Gives an opportunity for it to be fixed. An inspection will happen after that. Hopefully he will fill out that form and send it back and we can start to schedule things with you. We will put that together as a plan and have it in front of Council probably on July 22.

Sergio: Thank you very much. Completely agree with the decision.

Referred to the City Council due back on 7/22/2020

**34 RLH FCO
20-61**

Appeal of Phil and Keia Isaacson, PBK Properties LLC, to a Re-Inspection Fire Certificate of Occupancy with Deficiencies at 47-49 COOK AVENUE WEST.

Sponsors: Brendmoen

*Grant to July 20, 2020 for compliance with front bedroom orders by ceasing use as sleeping room or removing screens, windows, and door from the enclosed porch.
Grant to grant to September 1, 2020 for remaining items.*

47-49 Cook

*Keia Isaacson is on the phone line.
Phil Isaacson is on the phone line.*

Shaff: Fire certificate of occupancy inspection conducted 5/11/20 by Inspector Franquiz. Two items are being appealed today. Also, May 11 was the only time we are able to access the property. Bedroom windows exit on enclosed porch. That originally was not a bedroom.

Marcia Moermond: What are thinking you need?

Keia: As for the bedroom and windows, it is a very old building. It has 2 bedrooms. It has always been a bedroom acceptable over many years. There are 2 windows that escape onto that porch area. The other key about the second inspection: we were anticipating the appeal. There was no need for an additional inspection at that time. We had been in contact with him at the time.

Phil: We had done quite a bit already. We would need a 30-day extension. We bought the place recently and we bought it with 2 bedrooms on the lower level. It was always listed as a 2 bedroom.

Moermond: That is not how the building and fire code make a determination about the sleeping rooms.

Keia: If the MLS is not accurate, how would you know what is a legal bedroom if inspections can change that at any moment?

Shaff: That is not something we can change at any moment. That is the fire and building code. I can guarantee that bedroom did not exit or pass through an enclosed porch.

Keia: It has been enclosed for over 40 years.

Shaff: Just because it was not right before does not mean it can continue.

Keia: How would we know if the MLS lists it?

Moermond: You have to have an inspector go in. There is a private way to valuate that. What I have is a noncompliant situation that we need to deal with. I do not recommend variances in this situation. We have to come up with a way for someone to get from the sleeping room to the outside. Some people choose to open up the porch. Sometimes, it is not expensive to put a window on the side. If you want to use it as a sleeping room, we're talking about opening up the front porch or making the front porch as part of the room. The Truth-in Sale-of-Housing report does mention the window is too small. What kind of tenant situation do you have going on?

Keia: She is not using that bedroom.

Phil: We lost a tenant over this. They don't understand the notice on the door. She is breaking her lease and moving.

Moermond: If it was a legal installation in the past, it could continue to be there. It is not acceptable to have a bedroom with no exit to the outside. This goes back 100 years. Sorry there was this situation with the tenant. I also know that people get trapped into these spaces and die.

Keia: Efrayn mentioned that he had seen possible variances.

Moermond: I have never done a variance that does that. The department does not have an option to issue that kind of variance.

Shaff: There might have been some misunderstanding. That has never been okay.

Phil: He was just coming up with solutions. We would not have bought it.

Moermond: You can pull the windows and screens and you have a legal sleeping room.

Phil: They are storm windows.

Moermond: They are going to pop out.

Phil: They are aged storm windows. They have the clips on the outside.

Moermond: Your tenant is leaving, what kind of timelines are you looking at?

Phil: We still have painting that needs to be done. If we remove the windows and doors, can you take the notice off the door?

Shaff: I don't understand what papers are on the door.

Moermond: Yes, let's get that lifted. Can an inspector look at the porch and the windows only? Let's get this on the schedule.

Keia: No permit is required to remove the windows?

Moermond: No.

Phil: If you give us until the 17th, I can have all the windows out.

Moermond: We'll have the inspector do a drive by on the property on July 20.

Shaff: That will work.

Moermond: The inspector will go by on July 20. The balance of the items we will do September 1. Add onto that you need to have the front porch painted and sealed up and looking good again.

Phil: That is the plan.

Moermond: Opening it up by July 20. September 1 for the balance of the orders. You can pull the placard off the door. I don't know if it serves a purpose anymore. You'll get an appointment letter for some time after September 1.

Phil: Is it typically the same inspector?

Moermond: Yes.

Phil: Can I reach out to Mr. Franquiz?

Shaff: Franquiz is on vacation, so wait for 2 days.

Referred to the City Council due back on 7/22/2020

Sponsors: Jalali

Recommendation is forthcoming.

1814 Marshall Avenue

Kathleen and Ken Shoenfelder are on the phone line.

Leeana Shaff: There is a fire certificate of occupancy by Inspector Jack Toeller on June 25. Looks like the item being appeal is Item 2, one bedroom egressing through another sleeping room. Minnesota state fire code is clear that you can't pass through another sleeping room or bathroom or closet or things like that in order to exit the house. You have 2 exits from the sleeping room: one to the outside, and another to a common area.

Marcia Moermond: This bedroom has more than one exit directly to the outside. It appears to have exits on two different sides. Can you count it that way under the fire code?

Shaff: No. They are looking for, if there is a fire in the house, that you exit out of the window. So, typically the other exit would be back through the house. Trying to avoid someone being trapped in that room. I wouldn't count that just because I can go out the window on the left side, that I couldn't on the right, that's not how it works.

Kathleen: We've had people in those apartments for 21 years. This is objecting to the back bedrooms, is that correct?

Moermond: Yes, the bedrooms in the corner of the house.

Kathleen: There are windows facing the west and south. Smoke detectors in all the places as well as carbon monoxide. They see the size of the bedrooms and they say that's fine. No one has ever objected. After 21 years to be told we cannot use that room is a real blow.

Ken: Over the years, about 7 different guys never thought it was an issue or questioned it. This is a surprise that they want to take away 1/3 of our rental income.

Shaff: He does not want to take away your rental income. He just wants to make sure tenants are safe and can leave if there is a fire issue.

Kathleen: The windows are not adequate. You have to have a door to the outside or a common room.

Moermond: You have to have one option to exit the house and it cannot be through a sleeping area and one exit to the outside. What in the kitchen is facing that area? Is the floor layout the same or is the issue for both units?

Shaff: It's called out on both.

Kathleen: The room in the back is a little longer going from east to west and a lot more windows.

Ken: We have had 7 different inspectors look at this house and it's never been an issue. So now all of a sudden it is and I'm thinking what has changed.

Moermond: The code has not changed in many decades. It is unfortunate it was not brought to your attention earlier. This is not a new code. It is an old code that was properly enforced.

Shaff: Or it was not being used as two separate bedrooms. It could have not been that way when an inspector was there.

Moermond: The conditions could have been different?

Shaff: Absolutely.

Moermond: What is going on between the wall in that back bedroom and the kitchen?

Kathleen: The refrigerator is there.

Moermond: Is that true for both units?

Kathleen: For the up and the down, yes. The closet in the southern-most bedroom is over the stairway.

Moermond: You have that in your diagram. You did a nice diagram, by the way.

Ken: The unit on the first floor has numerous windows for exit. That shouldn't be an issue. It's off the ground about 8 feet. If there is a fire, there should be no problem getting out of those rooms.

Kathleen: It's doubtful the fire would be on both sides of the house, I would think. The south wall is longer than the west wall, but there are several windows on each side.

Moermond: I understand that, and I do see that. I also see the fire code and I want to review that more carefully. The fire code is asking for exits in both cases. Is this a good candidate for a variance? If it isn't, what kind of accommodation can be made? I'm wondering, I wouldn't want to be in the bedroom that gets used as a hallway going to the other bedroom. Is that something people have brought up?

Kathleen: They live with it. The middle bedroom pays less rent. The bigger bedroom pays more rent. They both are good sized bedrooms. Compared to other apartments, the size of the rooms seems to appeal to them. It's been painted, carpets have been redone, cute little built in buffet. People seem to accept it. Our children have lived there, and they have all worked with that.

Moermond: It seems like this would be when a nursery has been attached to a bedroom. This is not a normal construction?

Kathleen: We have owned it since 1995.

Moermond: The housing in that neighborhood is older. Trying to land on a reason why it would be constructed that way. It made sense to me when I was thinking about it being a nursery. I will look at the code, talk to my attorney, and see what she thinks, and get back to you. If you get a variance, you are good to go. If you don't get a variance, you can empty one of those two bedrooms of people. We can pick a deadline. Or, it can be turned into one large bedroom. Or, you could add a door into the kitchen, which would mean reconfiguring your kitchen space. Those seem to be the array of options.

Ken: These are adult people who see these rooms ahead of time. When they sign a contract, they realize what they have, and the fact that it is a large unit, it usually is acceptable to the renters.

Kathleen: We have rented to college students. The idea of sharing a bedroom, I'm thinking with that big empty room sitting behind it, they would never do it. They might say they would do it, but they wouldn't do it.

Moermond: You would have to open up the wall, at least half open, in order to call it one room. There are 3 bedrooms here. I get where you are coming from. Once it gets caught, it gets caught, and you're in the spider web. I will do my best for you.

Kathleen: We have kids that have their references, they are ready to sign the lease, and we have to tell them to forget it.

Moermond: I will continue to next Tuesday, July 14.

Ken: These people need to get in. We have contracts signed, and now we have to void the contracts.

Moermond: One week is about as fast as we can turn things around. There is rental rehab money that the City has available as well. So, I would want to make sure you are aware of those resources, which can be of assistance to. Not sure if it is forgivable in the end.

Laid Over to the Legislative Hearings due back on 7/14/2020

2:30 p.m. Hearings

Vacant Building Registrations

- 36 [RLH VBR 20-43](#) Appeal of Mee Moua, Kindred Care, to a Vacant Building Registration Fee at 1108 SIXTH STREET EAST.

Sponsors: Prince

Waive vacant building fee to September 19, 2020.

1108 Sixth Street East

Mee Moua is on the phone line.

Marcia Moermond: The inspector was called away on an emergency, so she is not available for this hearing. This property was condemned back in June 2019.

Moua: Purchased the property in September 2019. Been working on it through the summer. Tomorrow, an electrician is doing his final walk through.

Moermond: Your bill would normally be due June 19. I'm going to put a 90-day waiver on it. That will take you out to September 19. If you have your certificate by then, there will be no fee at all. If something goes south, it will be processed as an assessment, you can appeal that, and we can talk about prorating it.

Moua. Should be completed in the next 30 days.

Moermond: We will send you a letter confirming.

Referred to the City Council due back on 7/22/2020