



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Joanna Zimny, Executive Assistant
legislativehearings@ci.stpaul.mn.us
651-266-8585

Tuesday, August 25, 2020

9:00 AM

Via Telephone

9:00 a.m. Hearings

Remove/Repair Orders

- 1 **RLH RR 20-13** Ordering the rehabilitation or razing and removal of the structures at 134 ELIZABETH STREET EAST within fifteen (15) days after the April 8, 2020 City Council public hearing. (To be referred back to Legislative Hearing on April 21)

Sponsors: Noecker

Need revised schedule, signed bids, and clear copy of financial statement by close of business September 4, 2020. CPH September 9, 2020.

Charnelle Hudson, owner, appeared via phone

Moermond: we received some documents from you this am, the legibility is not great, especially on the account statement. It is fuzzy. We need a better copy of that.

Hudson: I can do that today.

Moermond: should we get Mr. Ross on the line?

Hudson: no.

Moermond: we were talking about revising the schedule so start time matched with going in front of council, and a signed bid, where are you at with those things?

Hudson: you need a revised schedule and signed bids? I can get that today too.

Moermond: and signed bids?

Hudson: yes. Today.

Moermond: we'll look for those 3 items. I can't land the plane until have those. We'll communicate more about this.

Referred to the City Council due back on 9/9/2020

- 2 [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. (To be referred back to Legislative Hearing on July 28)

Sponsors: Yang

Layover to LH September 22, 2020 for further discussion about owner's plan for property. If rehabilitating property, must have contract with any potential third party doing the rehab, a work plan and schedule, and affidavit and proof of financing.

Michael Klemm, attorney, appeared via phone

Monica Anderson appeared via phone

Michael Hulke appeared via phone

Staff report by Supervisor Steve Magner: a letter went out August 13, 2020 confirming on August 11, 2020 you recommended continuing for the following conditions to be met to rehabilitate the building: submit evidence of financial documentation for half of the estimated cost (\$100,000) to rehab the project, noting that you will need to demonstrate availability of all funds before getting approval for grant of time; submit an affidavit dedicating the funds for the rehab (see sample attached); submit preliminary work plan (see sample attached) and bids; and the property must continue to be maintained.

Moermond: so, no surprises there. Last time we spoke you were talking about hiring a general contractor. Based on recent conversations it sounds like that isn't the case.

Klemm: I was retained about a week ago to assist with the real estate aspects, as co-council, after discussion with Monica and the attorney handling the probate of the estate. It sounds like the estate isn't in a great place to fund the rehab itself, but we'd like to sell the property to someone else who could do the redevelopment work. In reviewing the documents provided to me, there was a letter referring to some contractual agreement and arrangement for a third party, I have reviewed City code regarding limitations on selling and purchasing and transacting a category 3 property, but looking for clarification for what contractual arrangements are acceptable to the City. There are some potential buyers.

Moermond: you've been provided sample agreements we have approved in the past?

Klemm: yes, I got those yesterday. They appear to provide for the property owner to enter into a third party and the sale of the third party after the project is complete, and one which is similar with a loan from the third party toward the construction cost, and a third example where a purchase agreement is considered a sale that violates city code, but it has the addended as long as transfer of title doesn't happen until the rehab is complete.

Moermond: I'm not crazy about the purchase agreement, but the ones we have seen the purchase agreement was signed before it was in hearing. We will give you to more examples too. You've talked to a few people, you know you need a contractual instrument, have the people been amenable to that?

Klemm: before we discuss with them, I wanted to see what was acceptable to the City. Frankly, I practice real estate and this type of limitation makes it challenging, but I'm glad to see it has been worked through in other cases. Having the work done by the

contractor where the owner isn't paying the cost as we go, involves risks on both sides, it is a bit of a challenge.

Moermond: right. So, I guess I'm not going to say we will approve a particular agreement sight unseen, if you bring something forward that looks like those, it is likely it would be approved. Pick a model that works for your situation and proceed, because I can't give an approval of a contract without it in hand.

Klemm: understood, that's not what I was asking, the samples are helpful. The mechanism that I think would make the most sense aside from the City's restriction would be a contract for deed.

Moermond: actually, there was an example at 412 Holly, where Brian Alton drafted an agreement along those lines.

Klemm: if we were not able to come to an agreement with a contractor with one of these approaches, is the only other alternative to remove the building and transfer the land as a vacant lot?

Moermond: that's about the size of it, in this particular property, we have a code compliance already, the city's estimate was over 100k but the land and building together valued around 160k. I'm guessing you own it free and clear given the length of time.

Monica: that's correct.

Moermond: so, it does make the most financial sense for it to be rehabbed. That would be what I would expect to see unless bids are crazy high. So, you're shopping for someone to work with on this, I'm looking to put some deadlines on this for that proposal you're ready to work with.

Klemm: the paperwork I received I don't think it's a copy of all documents, I didn't receive the initial letter. I noticed the report from the code compliance inspection at the end mentioned 6 months to correct deficiencies, is there a shorter deadline that applies?

Moermond: if the Council makes a grant of time, it is 6 months for the work to be completed. If it is more than 50% completed at 6 months, it is our practice to continue the performance deposit and give another 6 months to complete. If it is not at 50% completed, we will review and likely ask for another performance deposit before giving any more time. The performance deposit is refunded upon issuance of code compliance certificate with interest. I think there's adequate time for a contractor to do this, it doesn't start until the Council takes its vote to grant the time. I'd like to do that in a month's time. Is that doable?

Anderson: knowing what you are amenable to, and they can give us offers. We do have one offer in now.

Klemm: I think a month is a good target, I'll be out for a week on vacation later this week, so I won't be able to start drafting for at least a week, that would give us 3 weeks to work out terms.

Moermond: I'm going to lay this over to Legislative Hearing September 22, at that juncture I'd like to see you have a completed arrangement with someone doing the

rehab, the plan and schedule and evidence that whoever is doing it has the financial resources to complete the job.

Klemm: I understand the Contract for Deed would be signed and recorded would be acceptable?

Moermond: take a look at 412 Holly and see how they did it.

Laid Over to the Legislative Hearings due back on 9/22/2020

3 [RLH RR 19-30](#)

Ordering the rehabilitation or razing and removal of the structures at 1904 PRINCETON AVENUE within fifteen (15) days after the December 18, 2019 City Council public hearing. (To be referred back to Legislative Hearing on July 28, 2020)

Sponsors: Tolbert

Layover to LH October 13, 2020. DSI staff to reinspect the week of October 5, 2020. Code compliance inspection must be completed by October 13, 2020 or will recommend removal of the building.

Steve Anderson, attorney, appeared

Moermond: I am looking at a letter received yesterday, we'll have an update from Steve Magner first.

Staff report by Supervisor Steve Magner: letter dated July 31, confirming that on July 28 at the Legislative Hearing you recommended continuing the matter to August 25, and that an inspection was to occur to confirm cleanout, including photos to document in order for a code compliance to take place and an inspection report completed.

Moermond: I saw a set of photos Mr. Yannarely took, can you describe them Mr. Magner, from last Friday.

Magner: number of photos of the interior of the house, it appears that we have still just pathways throughout the interior. Most of the counters are still covered with items, the floors are covered, in my opinion there is no way for inspectors to be able to do a code compliance inspection. We expect it broom clean. This is not anywhere in the realm the inspectors could do any inspection at this time.

Anderson: I don't disagree with that conclusion. I did however submit some documents and photos, I added Joe's photos and my own form prior to that. If you look at those, we put in place and submitted the letter yesterday, I acknowledge the house isn't the place she should be. I want to make sure the letter is in evidence, she seems to be responding to this coach, and taking on some responsibility, she does sort, pile, and then gets rid of them, she is just really slow and deliberate. She didn't get anywhere near broom clean, but if you look at other things the coach talked about, she's dealing some with her condition and moving things. She says she's maintaining this motivation, which isn't typical. The pace is slower than we'd like, she said she thinks she can continue to move ahead. If you look at some of the pictures, the first are Joe's, and I know this sounds crazy, there's a great deal of stuff in bags or containers, like in page 3. It looks like a mess, but in 3 and 4 a lot is ready to take out.

Moermond: I don't know that looking at that.

Anderson: I understand that. Let's use the basement, page 18 of my document that's the basement prior. Those bags aren't garbage. If you get all the way down to 21 and 22, you'll see 2 rooms, washing machine area is clean. Page 22 you'll see she scrubbed the entire basement floor. This is a major advancement. That was the biggest endeavor. I threw in a couple pictures from April and May and you can see page 23, it is clearly stacked up and no walkway. That was basically the living room and dining room before Joe took the pictures. You'll see some examples of things packed up page 25 and 26, but then you get to 28, you can see what the bedrooms looked like before. It hasn't been sorted. In Mary's world she sorts, I know it is not broom clean, but it is different. If you go to page 29, you can see on the left-hand side some garbage, that doesn't exist now, she has taken care of it. She has a lot of stuff in the house. Page 31, this is how the basement used to look. I couldn't even walk down there my first trip in. I just want to make sure when we talk about it not being broom ready, even with her illness she has made some breakthroughs in how she's handling her condition.

Moermond: is she doing all the work on her own?

Anderson: yes. Our next phase, she was going to get some muscle in there and she's going to tell them where it goes so far, to be honest, she hasn't been able to take that step of kind of speed. But she has sorted a great deal of it, we could do it, we don't have a signed contract.

Moermond: we talked about a contract months ago. It is like she doesn't seem to care about any of the deadlines I put in place, she's doing her own thing at her own pace. I've given extension upon extension to even get to a place to get to where we could even see it to talk about rehab plans. Hiring someone to be the muscle, if something's in a box and hoarded, in her case for 20 years. Getting it out of the house is a big step that hasn't been taken. I'm at a loss for what she thinks is going to happen. Does she think she has infinite time to sort at her own pace?

Anderson: no, she knows were up against inevitable ruin. I agree, she hasn't been able to take that last step at a high pace. Part of it is the illness, but she has made some progress. I want it on the record Louisa's document that she is doing steps prior to the muscle. At one point we had a bid to get it out fast, and take it elsewhere, but she couldn't make that leap. I think she could with a little more help from Louise. If the house is ordered dropped, maybe that will be the incentive, I don't know. She has her pace, there's no doubt.

Moermond: Mr. Magner, you have extensive experience with hoarding, any thoughts?

Magner: every case is different, but I don't remember us taking 10 months, and I know everyone is going to bring up the thing happening in the world, I guess the question here is does Mr. Anderson believe there is some type of definitive date in the upcoming future that the dwelling would be broom clean?

Anderson: my answer is yes; I just don't know the date. You have given her several extensions; she wasn't in the same mental place as she is now.

Moermond: where's the husband in all this? We're putting it on her, but it's a family situation.

Anderson: like in many hoarder situations the family hasn't yet kicked in in an extensive way. One has moved away; the daughter comes in and thinks they're doing

well. She won't let me talk to the kids. I've talked to John the husband. John is engaged in the money, we haven't got proof, but they are preapproved for the house loan. I wouldn't say they as a couple worked through that. John is the money; she is the house. A hoarder situation, I haven't been around many, maybe 10 or 12.

Magner: if you think that Mary is moving forward, is it possible that John could get a contractor in there to at least do a pencil bid to give insight to where were at? That pencil bid, is relative to a full code compliance still needing to be done, but if we can get it to that point and then John showing us he has the funds, and in that period of time, if more is cleaned up and were close to getting a code compliance, that shows us were getting close to be able to connect to the two end of the railroad.

Anderson: we had a general contractor who came in through earlier, but we haven't had them in since. John wants to see how it can be improved so they can sell it for a great deal more. Actually, we have a pencil bid, which I didn't include it. John has about two times that amount money available.

Moermond: are you talking about a bid to do the rehab, or the cleanout? Or both?

Magner: focusing on seeing if magically the house was cleaned up in September and do the code compliance, and the contractor has pre-walked through the house, they can do an addendum to the pencil bid and we have the proof of money. It is one thing to spend a year getting the house cleaned up. I don't want to spend 6 months finding money and going over bids like we do with other ones.

Anderson: I can get a contractor to do that soon. For both the rehab and the cleanout. I've been reluctant to have people spend their time doing that when we don't have a time for the big move out, I'm asking for another extension, I appreciate your patience.

Moermond: skepticism, that's the word.

Anderson: I understand. She's connecting with Louise; I think it is working well. Unfortunately, it is at her pace right now.

Moermond: it was my hope that Joe Yannarely could have been in there last week, isn't and it continues to be a hoarded house with significant volume of material within it. Certainly, way beyond what's possible for a code compliance. Mr. Magner suggested giving an additional 30 days to do a clean out, and I'm thinking we sent Mr. Yannarely in before the code compliance team goes in. We don't have hearings scheduled the 30 days out week, so I'm going to say could Mr. Yannarely do an inspection the week of October 5, with a final Legislative Hearing October 13. It is our final deal, code compliance inspection done, or it will be removed. If she needs to hire a contractor to do a junk out, that can occur very quickly.

Magner: let's have Mr. Anderson contacting Mr. Yannarely again for the inspection.

Moermond: we'll send a letter confirming these details.

Laid Over to the Legislative Hearings due back on 10/13/2020

4 [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

Layover to LH September 8, 2020 for further discussion (PO received code compliance late).

Laid Over to the Legislative Hearings due back on 9/8/2020

- 5 RLH RR 20-29** Ordering the rehabilitation or razing and removal of the structures at 920 FREMONT AVENUE within fifteen (15) days after the September 23, 2020, City Council Public Hearing.

Sponsors: Prince

Remove within 15 days of CHP with no option to rehabilitate or repair.

Yost Yost, owner, appeared

Susan Drake, owner, appeared

Moermond: am I to understand your both owners on the property?

Yost: yes. I wish I owned it by myself.

Staff report by Steve Magner: The building is a one-story, wood frame, single-family dwelling with a detached one-stall garage on a lot of 5,227 square feet. According to our files, it has been a vacant building since June 13, 2019. The current property owners are Yost Jonifer Yost and Susan K. Drake per AMANDA and Ramsey County Property records. On June 10, 2020, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An order to abate a nuisance building was posted on June 15, 2020 with a compliance date of July 15, 2020. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$13,300 on the land and \$92,500 on the building. Real estate taxes for the first half of 2020 have been paid. The vacant building registration fees were paid by assessment on July 1, 2020. As of August 24, 2020, a Code Compliance Inspection has not been done. As of August 24, 2020, the \$5,000 performance deposit has not been posted. There have been no summary abatement orders or work orders issued since the vacant building file was opened. Code Enforcement Officers estimate the cost to repair this structure exceeds \$75,000. The estimated cost to demolish exceeds \$20,000.

Moermond: where are you guys at with it? We knew a while ago we would be here having this conversation unless things turned around for you. I would add, similar to the previous building you have significant roof issues which has led to significant floor and wall issues, so it is dangerous for someone in there. Have you given thought to demolition? It is a small house with a lot of problems.

Drake: it said in our letter it's a historic preservation house.

Moermond: tell me what you're thinking about rehab vs. demo.

Yost: we were wondering if there as some way of rehabbing. I don't know what it means by historic preservation house.

Moermond: the deal with this is, was It surveyed in 1983? Yes. However, it is significantly compromised, so it doesn't matter because it is significantly damaged.

Magner: I want to report back, as our normal course of action, each property is sent to the HPC and they send those letters and we received this back and this I regards to 920 Freemont Ave, it has been reviewed by the State of MN there are no reported historic or archeological resources in the project area, therefore based on available information that no historic properties eligibility will be affected by the project. It has come back negative.

Moermond: so, the State Historic Preservation office didn't find any historic attributes to considered in this process. It's a part of the legal description. So back to the question of you would like to fix it, but there isn't money to fix it. Have you looked for money to fix it?

Yost: according to them--

Moermond: who is them?

Yost: the Council, they agreed it would cost more to repair it than to have it demoed.

Moermond: yes, it looks that way. It would be \$75,000 or more to fix; I don't think that surprises you.

Yost: that's why we had Dayton's bluff years ago, and they recommended us to strip down the whole house. We had just moved in; it was a complete shock to us to have to spend that kind of money to stay and live there.

Drake: they said we didn't qualify.

Yost: they don't consider her income at all.

Drake: when we applied for all the programs, they said he made to much, but I don't make anything. I applied for early Social security.

Yost: each program I signed up for I made too much money and she didn't make enough.

Moermond: you don't have the money to do the fix, and there's not money that looks like it is available through a program, based on what I'm hearing it isn't financially wise to fix it because the cost exceeds the value of the property. You're better off spending your money doing something different.

Yost: we still haven't found another place to live. I'm qualified but I can't take her with me because she can't afford another place.

Moermond: and that's because you're not married, we have talked about that.

Yost: they shouldn't discriminate against her.

Moermond: I don't have anything new to offer you from our previous conversations. I need to focus on the house and structure, which is in really bad shape. It needs to come down.

Drake: we haven't been able to move our stuff out.

Moermond: you will have to figure it out. I can't help you move it. You guys have to sort out whether you're going to say goodbye to those things—

Drake: no way, we have antiques.

Moermond: well it has been more than a year and we're at the end. I wouldn't expect you have money to do the demo, just like the previous case, the demolition costs more than the parcel, so the math doesn't work for you guys. If it had a bigger parcel value, you could sell the parcel and recoup the cost of the demo. I can't give you financial advice, but if I was paying a mortgage or taxes, I'd make different decision.

Drake: well we are afraid if we foreclose, we won't ever find a place to live.

Moermond: well, US bank got copied on it, and they know this hearing is happening. You may want to reach out to them and see what your options are.

Yost: I have heard if you foreclose on a house that your credit is out the door?

Moermond: I am not a financial advisor able to address that question at all. You'd need to talk to someone who does that.

Drake: we did ask them not to put sign on the front of the house, we found people in the backyard. They called the police department on us.

Moermond: and they're allowed to be there 8 am to 8 pm yes?

Magner: yes. But once a house is vacant for a period of time, but if it has been vacant for a period of time the neighbors might not know who belongs there.

Yost: we go there every day to check the mail.

Drake: the back main door, they were trying to get in. They said they were looking for a cat. We haven't had any trouble except for Sunday. They saw the signs on the front of the house and said they thought they could come back there.

Moermond: this is going to Council September 23, there isn't a path to get it fixed, there isn't money to do the demo yourselves, and if there were it probably wouldn't be in your financial interest to do that. You would be well advised to talk to a financial advisor. That's up to you though. You'd be well advised to move your valuables out of the house now, knowing this goes to Council September 23 and give 15 days to take action. After that the City takes over to begin the process. The City takes custody of the property and gets bids and pollution assessments. It isn't taking the property; it is taking custody of the house until it is demolished. You still own the parcel

Drake: we don't have any credit cards, so I don't know how were going to do all this. It is hard because were homeless.

Yost: we've been living in a hotel for the last year.

Drake: that costs a lot of money.

Moermond: I've given you all the resources I have in the past. I'm going back to the physical structure of the house isn't safe and we can't go through another winter.

Drake: I know, but we have to figure out what we're going to do with our stuff. SMRLS just kind of dropped us. I even asked Marilyn what our legal rights are, and she didn't answer us.

Yost: we just gave up. Meanwhile were trying to figure everything out. I tried getting into an apartment, I told them I'd have a female living with me, and they asked about her income.

Moermond: because she has to be on the lease. The world doesn't look at things the way you want them to. You need to talk to someone who can give you real information.

Yost: the only thing that scares me about closing down the house, talking to US Bank, and they find out it is in foreclosure, I am afraid I won't be able to find another place to live.

Moermond: I know you've been paying the mortgage. You need to call the bank. You shouldn't make a payment on a house that's going to be gone completely. Talk to the bank, they have been notified about this proceeding, they didn't send anyone today. Sometimes they do that because they did the math and they figured it didn't make financial sense to come. You are operating out of fear and assumptions, the only way to find out is to talk to them. They have people in this era of Covid especially. September 23 I will recommend this is demolished within 15 days, which means you have 15 days to take action to demolish, and if you don't the City will take over to do so. You have to get those things out of there before that 15 days is up.

Drake: more money! My medical issues, I have to have a mailing address and for my RX plan. Were already having trouble with mail service because of the signs on the house.

Moermond: I understand, and it is not that I don't care. We have had conversations along the way. We have talked about Po boxes. I can't solve these problems for you. This is where I find myself, were at a point where this needs to happen now.

Drake: we applied for everything we could apply for. The money went down the sewer.

Moermond: it is because of your marital status. The people who hold the purse strings make the rules, and you don't like them, and as far as I know it isn't discriminatory, but this is all on you guys to make decisions about how you want to handle your life. I need to focus on the building. There's a hard line in the sand, get on the phone and have a conversation with US Bank. See if you can get some answers so you have real information about moving forward.

Referred to the City Council due back on 9/23/2020

- 6 RLH RR 20-30** Ordering the rehabilitation or razing and removal of the structures at 967 FREMONT AVENUE within fifteen (15) days after the September 23, 2020, City Council Public Hearing.

Sponsors: Prince

Remove within 5 days of CHP.

Shichun Han, Yangtze Home LLC, appeared

Joe Taylor, friend of family and broker, appeared

Staff report by Supervisor Steve Magner: The building is a two-story, wood frame, duplex with a detached two-stall garage on a lot of 4,792 square feet. According to our files, it has been a vacant building since December 20, 2019 due to a fire that occurred on December 16, 2019. The current property owner is Yangtze Home LLC per AMANDA and Ramsey County Property records. On June 10, 2020, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An order to abate a nuisance building was posted on June 15, 2020 with a compliance date of July 15, 2020. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$13,000 on the land and \$139,000 on the building. Real estate taxes for the first half of 2020 are due and owing in the amount of \$1,601.60, which includes penalty and interest. The vacant building registration fees were paid by assessment on April 1, 2020. As of August 24, 2020, a Code Compliance Inspection has not been done. As of August 24, 2020, the \$5,000 performance deposit has not been posted. There have been five summary abatement notices since 2019. There has been four work orders issued for garbage/rubbish, boarding/securing, grass and weeds and installing a fence around perimeter. Code Enforcement Officers estimate the cost to repair this structure exceeds \$100,000. The estimated cost to demolish exceeds \$25,000.

Moermond: a fire damaged structure that's been hanging out there for 8.5 months. It's a duplex, I assume it was an investment property.

Man: I'm also a licensed broker and family friend. I have a representation agreement with Yangtze home.

Moermond: so, you've done an assessment the home is not salvageable.

Taylor: I talked to Mai and she gave us a couple housing nonprofits, I went out there with a nonprofit and they were interested but couldn't find anyone to partner with. We had a party under contract, but they pulled out due to Covid. It looked like they would close, they kept delaying, and then canceled. Next position was to go and try to work with City on what we could do. There aren't any loans or liens, if there's a way to cooperate to give the property to the City to not have an enforcement action.

Moermond: right now, you own the property and it is your problem, I'm afraid

Taylor: were not in a position to handle it.

Moermond: the problem on your doorstep, you have a demo that likely will exceed \$25,000 that needs to happen. It costs extra because of the fire; they assume the material is contaminated and hazardous.

Magner: in a standard demo, if the house is stable, the contractor would have a survey done and have any potential or asbestos containing items removed prior to any demo. In this situation we don't know if we can do that, it would be done by the contractor, they would do the inspection and have it abated or take the whole dwelling which doubles the disposal costs. The roof is caved in, we were out there a couple weeks ago, and over the summer more of the roof collapsed. We want it razed as soon as possible, City can do it, but we need a Council resolution to do so.

Moermond: the math you're looking at, the cost of the demo of \$25,000 and estimated parcel value is \$13,000. Already there was a decision not to pay the first have the

taxes of 2020, so it already feels like you're walking away am I right? You're asking for someone else to eat the \$12,000.

Taylor: I think Mr. Magner was talking about the costs being double \$25,000?

Magner: no, the doubling is the cost of the disposal, not the cost of labor or equipment to raze it. We're estimating at \$25,000 which is higher than it would normally cost to raze the structure, if the dwelling was intact and could be abated, it would be more about \$15-18,000. that being said, because the property is compromised, we included additional costs in our estimate to indicate it could be in that \$25,000, or even higher.

Moermond: so, \$20-30,000 range guessing. The doubling is the normal cost for demolishing the structure, which is normally the \$15,000 range.

Taylor: if we were unable to pay that, what happens?

Moermond: this is a registered vacant building, and it would be demolished. Normal course of events, if there is a structure on the parcel, it would forfeit for nonpayment of taxes in 3 years. I am not sure if it is quicker for vacant parcels, I'd have to check the statute. So, there's that, or you could sell it. You're looking at loss mitigation, you'd have to do the math on that.

Taylor: loss mitigation, someone would absorb the cost of the demo in that situation, an assessment along with the property taxes. The demolition would be part of the tax forfeiture.

Moermond: technically it goes to state of MN for nonpayment of taxes. The County would make sure it is mowed and those sorts of things, and then they put it up for auction. That price is what would offset the cost of demolition. The City would have subsidized the cost of the demo by half if it was sold for \$13,000.

Taylor: if the auction didn't cover it, it is absorbed by the City?

Moermond: yes, all the taxing jurisdiction would take a hit, especially the City.

Taylor: so, there's not a judgement against Yangtze homes.

Moermond: no, it stays with the property, no judgement or lien against Yangtze homes.

Taylor: would it retain its duplex status? It's primarily a single-family home neighborhood.

Moermond: we'd have to look.

Magner: the City would be using its community development grant money to raze the property, it is federal money. It is not City money paying for the money, it is federal HUD money. Any money paid back goes back into that fund, if the property is sold at auction, or if someone wanted the lot and paid the assessment before it went tax forfeiture.

Moermond: so, it is our money that the fed gave us. I'm looking at legal nonconforming classification. Can you talk about it maintaining its status?

Magner: the only way the status would be applied is if it is rehabilitated into a duplex. It

would have to be done within the first year of it becoming vacant. For its duplex status to stay the rehab would have to be commenced immediately, permit issued before the 1-year time frame.

Moermond: so, a year from December 20 when it went in the Vacant Building program it would need permits pulled to be rehabbed as a duplex.

Taylor: might we find a more welcoming situation with the nonprofits that would be able to take it on? If a nonprofit came in and said they have someone who wishes to build.

Moermond: the City won't subsidize giving it to a nonprofit, that's all on you.

Taylor: would they work with someone who might want to build there?

Moermond: it is your parcel. The City won't involve itself. Nonprofits can buy these properties, however the numbers the nonprofit would be looking at would be the same ones your looking at, can they afford to pay for a demo that exceeds the parcels value, and is that fiscally responsible for them to do so? It's a loss mitigation question for you. Where I'm at with this is it is being demolished, sounds like you won't step up to do it, so the City is going to have to, and the Council will have to make that decision. It will be a recommendation to them, they are the decision maker. If you don't take action within that length of time, the City would commence action and they start by asking the MPCA to review and put it out for bid to do the work. It is a dangerous structure and a hazard. After that, title and arrangement of transfer of title is up to you. There's not restriction on who you do that with, but you can't do it with the dangerous structure on it. Once it is removed you can sell it on the open market, but for the moment you have this situation that needs to be handled.

Taylor: we are in no way contesting the removal. We have had people come in, even with the nonprofits, it is not a comfortable situation we don't want someone to get hurt. Knowing the City has professionals is much better.

Moermond: this goes to Council September 23; I will ask it will be removed within 5 days with no option to rehab or repair. It doesn't make sense to add the extra 10 days. Mr. Magner, if memory serves were looking at 6 or 7 weeks if things are operating as normal.

Magner: yes, I'm going to ask Mr. Yannarely to request bids ASAP so as soon as Council action is taken, we can move forward. We want to get this down before heavy wet snow in January or February.

Moermond: if you have follow up questions, reach out to Mai, she can help you get answers.

Taylor: I've spoken with Mr. Yannarely, I believe he has my contact information.

Moermond: can we get email addresses for both Ms. Han and Mr. Taylor?

Referred to the City Council due back on 9/23/2020

7 [RLH RR 20-31](#)

Ordering the rehabilitation or razing and removal of the structures at 1033 GALTIER STREET within fifteen (15) days after the September 23, 2020, City Council Public Hearing.

Sponsors: Brendmoen

Layover to LH September 8, 2020 for further discussion of plans for property. If rehabilitating property, must 1) apply for a code compliance inspection, 2) provide a work plan including schedule, 3) affidavit and proof of financing, and 4) post \$5,000 performance deposit posted with DSI.

Adam Soczynski, attorney, appeared via phone representing HSBC Mortgage Corp

Soczynski: we have had trouble getting our client to respond and even approve the fee approval to attend the hearings. I'd like to get information from our client so we can even get a position so we can know how they want to proceed.

Moermond: what I'm going to do then is get the record established, but I'd like to get things started. I'm happy to continue this to September 8th.

Staff report by Supervisor Steve Magner: The building is a two-story, wood frame, duplex with a detached two-stall garage on a lot of 5,227 square feet. According to our files, it has been a vacant building since September 10, 2015. The current property owner is HSBC Mortgage Corp per AMANDA and Ramsey County Property records. On June 18, 2020, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An order to abate a nuisance building was posted on June 19, 2020 with a compliance date of July 19, 2020. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$10,000 on the land and \$129,200 on the building. Real estate taxes for the first half of 2020 have been paid. The vacant building registration fees were paid by assessment on October 1, 2019. As of August 24, 2020, a Code Compliance Inspection has not been done. As of August 24, 2020, the \$5,000 performance deposit has not been posted. There have been forty summary abatement notices since 2015. There have been thirty-nine work orders issued for: Garbage/rubbish, Boarding/securing, Grass/weeds and Snow/ice. Code Enforcement Officers estimate the cost to repair this structure exceeds \$100,000. The estimated cost to demolish exceeds \$22,000.

Moermond: I'm curious about the time period for the Summary Abatements. Is that ongoing, or more historic?

Magner: most recent was August 19, prior to that was May of this year for boarding and cleaning garbage, tall grass and weeds. It has been going ongoing, 3-5 times a year. 40 summary abatements and 39 work orders is a lot of work orders on a single property.

Moermond: I don't know what kind of mortgage is on the property, we have a combined value of maybe \$139,000. If your client wants to move forward we'd need an application for a code compliance inspection to set the minimum standards for compliance for habitability, \$5,000 performance deposit, work plans and scope of work, an understanding of the work that needs to happen, and a dedication of funds to execute. While your client is a bank, that doesn't mean they are interested in spending money to do this. I noticed Mr. Magner say the inspection wasn't applied for, no performance deposit, and a consistent history of the City needing to maintain the property and abate nuisances frequently. And it has been vacant for 5 years, that's a long time for them to not make a decision.

Soczynski: I know there was an issue with some sort of title issue, so they had to wait for that to be completed. I don't have the title work in front of me, so I don't know why

it says HSBC is the owner or if it's the court action. I'm not even sure if they were responsible back to 2015. I still don't know if they have the proper ownership in it yet. There may be other reasons as to why it has been sitting. I got a lot of information to share with Eric and why the City wouldn't be happy to this point.

Moermond: one thing is that Mai Vang can send you a link to the record, and second, Mr. Magner, do you have handy the ownership and encumbrance report on this? Does that eliminate anything here?

Magner: mortgage was executed by Philip Schloss for HSB Mortgage February 15, 2007 for \$155,000. It looks like HSB did a mortgage in 2007 with him and he's no longer in the picture.

Moermond: can you send that to him?

Magner: yes, we can send it electronically.

Moermond: so you'll have some title work as background. We'll lay this over 2 weeks and give you a chance to talk to your client.

Laid Over to the Legislative Hearings due back on 9/8/2020

10:00 a.m. Hearings

- 8 RLH RR 20-16** Making finding on the appealed substantial abatement ordered for 530 GERANIUM AVENUE EAST in Council File RLH RR 20-5.

Sponsors: Brendmoen

All permits must be finalized by September 9, 2020.

Abdi Omar appeared via phone

Staff report by Supervisor Steve Magner: on August 11 we continued the matter over to today. It looks like only permit left is building permit. Nathan Bruhn said he hasn't been asked to do a final inspection, the exterior work is not completed yet.

Omar: I spoke at 7:30 this am with Nathan; we have an inspection scheduled for tomorrow at 10:45.

Moermond: so, the exterior work is done unless he has corrections

Omar: yes.

Moermond: so, all trades have signed off other than building. I'm going to put this in front of Council September 9 and I will look for an email from Mr. Bruhn telling me he's ready to sign off on the property. If he isn't, I will have to figure out what the implication is for you, but hopefully any corrections can be addressed by September 9 so things can be wrapped up. I'm hoping to be able to tell them they can close the file.

Referred to the City Council due back on 9/9/2020

- 9 RLH RR 20-19** Making finding on the appealed substantial abatement ordered for 985 WOODBRIDGE STREET in Council File RLH RR 19-34.

Sponsors: Brendmoen

Must provide updated schedule for completing project and proof of funds to finish the rehabilitation by close of business September 4, 2020 in order to receive additional grant of 180 days to complete the rehabilitation.

Bill Bernier, owner, appeared via phone

Staff report by Supervisor Steve Magner: In the letter dated August 6, Ms. Moermond had granted 180 days on February 26 for the nuisance building to be abated. Since then Mr. Bruhn has looked and indicated that it is 55% completed.

Moermond: so, 55% is more than 50%, so that is good for you Mr. Bernier, if you were less, I'd be asking for an additional \$5,000 performance deposit, but because you're over that line I won't be doing that. I am asking we need to have an updated work plan from you, if you're still using same contractors, the deadlines in your original workplan have come and gone, so let's get something updated with the current schedule to complete. I also need to see you still have the financing available to complete the work. Do you have any questions?

Bernier: the balance of the account dedicated for this property? You had me open an account specifically for this, I had to finish up another property so that's why I'm late on this one. The plumbing and electrical both leads and follows me. I'm patching up and correcting now, I'm finishing up trim and woodwork and have windows and porch yet to do. My contractor on the porch has other work to do, and he doesn't want to come. I do most of the work myself. Do you have a form to fill out for the plan I can fill out?

Moermond: I would be looking for that, yes, and the bids. I can send you the blank, and any bid changes.

Bernier: it is still same bids and specs. I wrote electrician a check for \$2,000 yesterday, he was just here doing a lot of his finals, he only has about 4 hours of work to do to finish.

Moermond: I'll send this to Council September 9, can you get that to us by September 4?

Bernier: can you mail it to me? I don't use the computer.

Moermond: we have an address on Quayle in Crystal.

Bernier: ok that will work.

Referred to the City Council due back on 9/9/2020

11:00 a.m. Hearings

Summary Abatement Orders

- 10 [RLH SAO 20-18](#) Appeal of Joseph Dalbec to a Summary Abatement Order at 913 JOHNSON PARKWAY.

Sponsors: Yang

Layover to LH September 1, 2020 for update on property clean up.

Joseph Dalbec, owner, appeared via phone

Staff report by Supervisor Lisa Martin: there was a SAO August 7, 2020 to Joseph Dalbec, in regards to removing a large quantity of rubbish household items, rugs, appliances, garbage loose trash, tires, debris and a trailer with a compliance date of August 14. There are photos to review, issued by Inspector Suon.

Moermond: I looked at the pictures, there's quite a lot of stuff in the yard. What is the plan, you've had the orders a couple weeks?

Dalbec: I'm working on things; I have two broken ankles and I'm doing my best. I'm going to put a roof on the shed and fix it up.

Moermond: are you alone working on this? Or do you have help?

Dalbec: sometimes my son helps, but mostly by myself.

Moermond: are your ankles currently broken?

Dalbec: I can walk around, I'm doing ok.

Moermond: the stuff in the yard, when I look at the scrap and cinder block and windows

Dalbec: I had Junk 360 come and paid \$500.

Moermond: is that stuff you brought in, or your son?

Dalbec: yeah it was my son. We told him not to do that anymore

Moermond: so, your son brings it and your trying to get rid of it?

Dalbec: yeah, we're disabled seniors.

Moermond: looks like you have a tent and—

Dalbec: no tent, the tent is gone.

Moermond: there's a sort of building that has tarp hanging off it.

Dalbec: we're going to fix the roof on that.

Moermond: it needs more than roof; I am seeing insulation and the walls aren't plum.

Dalbec: yeah, my son did that.

Moermond: the fact the walls aren't plum it is kind of a concern for putting a roof on.

Dalbec: we are working on cleaning it up.

Moermond: looking at the shed Ms. Martin, can you tell us your thoughts on that? What's necessary to bring it into compliance?

Martin: any structure must be in a professional state, in good condition.

Dalbec: my son rebuilt it. He is 30 years old. He does whatever he wants.

Moermond: you have some problems because of the stuff he does in your yard. Is he helping you get rid of some of this?

Dalbec: yeah, he is gone now.

Moermond: so, it is you on your own. Where are you bringing it, how are you approaching it?

Dalbec: bagging it up and giving it to the trash. I was wondering what to do, as long as we keep doing our best? Our son has a toolbox and all kind of stuff on the shed.

Moermond: is there a garage?

Dalbec: no garage.

Moermond: I don't see anything in the orders about the shed. Am I missing something?

Martin: I think he thought it was scrap he had brought in; I don't see anything specific in the orders. I don't think he thought it was something he was going to salvage. It needs to be in a professional state of maintenance. Perhaps house calls could get them a dumpster?

Moermond: that's a good idea. Mr. Dalbec, could you use a dumpster to help you get this cleaned up? It is free if you qualify income wise. We have a phone number for you, for Lauren Lightner with Ramsey County house Calls, 245-2644. I'm going to give her your number too, you guys need to connect and see if you can get a dumpster.

Dalbec: what about the street sweeper?

Moermond: I want to lay this over to next Tuesday to talk again after you talk to Ms. Lightner.

Dalbec: my son gets upset to easy, he called me liar when I tried to tell him something about this. When will she call me?

Moermond: I will tell her to call you but if you don't hear form her make sure to call her. Let's talk again next Tuesday.

Laid Over to the Legislative Hearings due back on 9/1/2020

**11 RLH SAO
20-19**

Appeal of Kartumu King to a Summary Abatement Order at 1281 MARGARET STREET.

Sponsors: Prince

Nuisance is abated.

Kartumu King, occupant, appeared via phone

Staff report by Supervisor Lisa Martin: it looks like a summary abatement order was issued august 11, 2020 to remove a dryer and various debris from in front of garage. The compliance date was August 18.

Moermond: have you been by the property since then?

Martin: I have, everything was cleaned up. I did notice there was a porta potty on the property, I'm not sure why.

Moermond: so, it sounds like the abatement items were taken care of, and the inspector is wondering if you're having plumbing issues if you have a porta potty in your yard. What are you looking for with this appeal?

King: trying to get on record that I am being targeted, since the day I moved in 4 years ago, the neighbor is harassing and making false claims against me, it is a public housing rental unit. I don't know prior situations she's had with previous tenants, but I have never done anything to this lady. She's been making false reports on me to both the city and Public Housing. They aren't true. As far as the washer and dryer, I had cleaned out my yard the day before, there was that and a table, I figured someone would take them for scrap. I was planning on moving them the next day, the day I received the letter. I'm wanting more inquiry as to how and why this report was made. It was a lot of lies, about debris. There's a picture of a washer and dryer, but they said there was stuff all around my yard that they didn't have pictures of. I called the inspector and left a message; I never received a call back after being transferred to Ms. Martin. I'm trying to find out who made this report, when I went to move the things everything was gone except the table. I moved the table and the day of the 18th, the date I was supposed to be compliant, I look in the back of my yard and someone stacked four tires by my garage. I don't know if someone's trying to get me in trouble, but they're basically trying to put mine and my kid's life, our shelter, at risk. I moved the tires because they weren't mine, the only reason they would do that is because they made a report and they want it to stick. I don't think it's a coincidence. When I came back, they're stacked in my neighbors' yard, and then later they were gone. I want it on record and want to find how and who made the complaint. I want it known I'm being harassed by my neighbor. I've tried to speak with her, she didn't tell the truth. She said since I moved in, she's been getting complaints and thought I was making them against her. She said she owns her property, but I haven't caused any trouble. These reports are harmful to me and my family, they aren't true.

Moermond: so, you would like information on who is complaining, and the wording of the orders with it is general language. Another thing is history of complaints on the property. I'm going to start, if someone calls the city with a complaint, we cannot legally under state law disclose who the caller is. They are anonymous under state law. The city will send an inspector out to see if this problem exists, and then issue an order, if they don't see a problem no order will be issued. The two exceptions are tall grass and weeds and your walk needing shoveling. Then they send out a letter and then come check in a few days. That's how that works. while you were talking, I was looking up what I could see on this history of complaints, it looks like there are a number of complaints and it is mixed. About half the times the complaints came in the inspector didn't find anything. Then there were a few times they did find a problem, and in every case, you took care of it. No one at the City had to do any work to get it taken care of. That is really good. The motivation of people calling, it does get look like you're getting called in consistently. Ms. Martin, what is your experience with this?

Martin: I looked in the file as well, there was four founded complaints, and it has been

a while since we had founded complaints, most were 2018. Half are founded, half are not.

King: that's what I'm saying, one day I mowed my lawn and the next day I got a letter saying I need to mow my lawn. I'm renting, these complaints are also sent to my landlord, so it looks like I'm a bad tenant, putting my housing in jeopardy. When I found those four tires on the 18th, I know someone is doing it intentionally. The lady when I did my paperwork told me I didn't have to file the appeal, but I wanted to go on record because I am being harassed. I don't know what the motive is, but this is something that will affect my rental history and affect my relationship with my landlord now. It puts me in a bad position. I'm sure it is sent to Public Housing as well.

Moermond: that would be the legal requirement, yes, both the owner and occupant. Have you talked to them?

King: we just got a new management company, so not too much with them. The prior managers knew about the harassment, within the first month I moved in there was a complaint made about a mad in my house smoking weed on the porch, which wasn't true. There's been several incidents like that. They knew about that; it was all reported to them. At some point I tried to file an order against the neighbor, I don't know what I did to her other than the color of my skin, if it is that. I don't know what the incentive is to risk my shelter.

Moermond: we have your comments on the record, there's no action I can take since you removed the items. I will recommend to the council that they find the matter resolved, there is no nuisance there.

King: can you also let them know the appeal wasn't about the removal of the items, but putting it on record that there is this foul behavior going on?

Moermond: we will have notes from our conversation attached and the Council will see that. We can send a copy of that to you too, so you know what we're putting in front of them.

King: once this goes to council what is their determination?

Moermond: usually when someone appeals they are saying either 1) I don't think this is a problem and 2) but I'd like more time to take care of it. In your situation you've already done the work, you don't need either one of those things, I don't have anything for them to decide except to say you have a clean yard and it is not a problem. The order is resolved.

King: I just want something for the record, I had a conversation with the lady and she didn't tell the truth and make it sound like I was making calls on her, which isn't true, I don't do things like that. I've been dealing with this already, I've been here four years, I want this to stop somehow. I don't want it to continue. We're neighbors and supposed to look out for each other, I don't get why she's put a target on my back. She admitted to calling the City to pick up the tires.

Moermond: if she picks up the phone again, how are you going to handle that Ms. Martin?

Martin: the same way we always do, if it's a founded complaint a Summary Abatement will be issued, and you can appeal that. If it is not founded, you won't get orders. The

last 3 valid complaints were November 13 and 17 of 2018, and this one.

King: what was the November 13 and 18?

Martin: November 13 was bags on the ground in the rear yard, taken care of by you, the same thing on the 17th was same thing next to the garbage can.

King: I go through St. Paul and see yards that are horrible, my yard isn't near a horrible, there are a lot of public housing properties in St. Paul, does the City put it at a different standard than other properties?

Martin: no, they are all the same, but it's a complaint-based system. If it is founded, we issue orders, if it is not, we won't issue them.

King: as far as the porta potty, I don't know where it came from. I had conversation with a man, why is it here, he told me the City put it there. That's not my porta potty, I don't have anything to do with it. I don't know why it would be on my lawn.

Moermond: I don't think the City did that. Especially not on private property.

Martin: I will call public housing and have them take care of it.

King: the garbage truck people have been using it, but I don't know how it got there.

Moermond: I hope you got your questions answered, we've created a narrative we can share about your experience, and Ms. Martin talked about how we have some founded complaints and when you know you're under a microscope it isn't fun, but you know that. If there are complaints an inspector will go out. Just stay on top of it.

Referred to the City Council due back on 9/9/2020

Correction Orders

- 12 RLH CO 20-12** Appeal of Alan Hausladen to a Correction Notice at 103 MAGNOLIA AVENUE WEST.

Sponsors: Brendmoen

Grant to October 2, 2020 for compliance. Basement continues to be condemned for sleeping purposes.

Kim Anderson appeared via phone

Staff report by Lisa Martin: we were going to reissue a condemnation order for the basement order. Unfortunately, it doesn't say basement only, it does on the placard on the door. It listed many of the items in the first condemnation, it does need to be addressed as it is being rented out as a triplex and not a single-family dwelling.

Anderson: the people in the basement are giving us problems, they did physically leave but didn't take their property. They never came and I packed it all up so we can move forward, but it is still sitting in the basement. What are we supposed to do with his junk?

Moermond: do you have a computer, if you google the Minnesota Attorney General,

you'll find that on his website there is a landlord tenant handbook and that will tell you basic information about your responsibility for property left by a tenant. I won't give you advice, but you can get information there. Ms. Martin, what are you looking for? Ms. Anderson has her space separated from Mr. Housladen's space?

Anderson: he's on the main floor. It is separate sleeping areas, but only one kitchen. He has his own space with his room, and we have our room. There's only one kitchen.

Martin: if you have separate closing doors, so the basement, main floor and second floor are separate units. You can rent a room to someone, but there can't be a separate unit.

Anderson: the guy in the basement did put a door up, if we remove that, does that work? Is Alan allowed to have a locking door on his room?

Martin: the basement, you have to take off the door, but you installed a kitchen.

Anderson: it is going to be removed, the fridge and stove are gone. Cupboards will be gone too. Removing the doors so it's a free open area does that work?

Martin: the electrical and plumbing I didn't see permits when it was installed, so we need to make sure it was capped off correctly.

Anderson: I think he applied for all that. The people in the basement were complaining because people were down there, he was ordered to leave, he was trying to prevent us getting done what we needed to.

Moermond: no permits so far.

Anderson: he went down yesterday, they said they had to send them

Moermond: what's his timeline?

Anderson: he applied for the permits, as soon as we have them, we will get the work started with the contractor. We haven't touched plumbing or electrical until we have the permits.

Moermond: alright, in terms of the kinds of locks on sleeping room doors, Ms. Martin what is code compliant?

Martin: you can have a 1" deadbolt with a turn so you can unlock from inside the bedroom. We want to make sure no one is locked into a bedroom.

Moermond: based on the fact the people downstairs have moved out, I'm going to give you the month of September to get this taken care of. That's 5 weeks. Your deadline is October 2, 2020 and the inspection you'll get a letter following that deadline.

Anderson: the people are gone, but they have so much stuff down there. Is there time he can come between such and such a time?

Moermond: I can't give you advice on that, I can't speak to tenant landlord issues. I'm concerned about people sleeping down there, and it sounds like they are gone, I'm good giving time to get it taken care of as long as they stay gone.

Martin: no concerns and I can send a letter out for October 5 reinspection.

Moermond: I hope that helps, Ms. Anderson, and we'll send a letter confirming all of this and copy Mr. Hausladen as well.

Referred to the City Council due back on 9/9/2020

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 13 [RLH VO 20-36](#) Appeal of Carolyn Brown, Community Stabilization Project, and Shai Leibovich to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1017 REANEY AVENUE.

Sponsors: Prince

Layover to LH September 1, 2020

Laid Over to the Legislative Hearings due back on 9/1/2020

- 14 **RLH VO 20-33** Appeal of Ruby Nguyen to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 777 SIXTH STREET EAST.

Sponsors: Prince

*Grant to September 11, 2020 for the following items:
7, 8, 10, 14, 17, 33, 42, 1st part of 45*

*Grant to November 1, 2020 for the following items:
3, 5, 6, 13, 15, 26, 29, first part of 31, 32, 34, 35, 39, 40*

Ruby Nguyen, owner, appeared via phone

Supervisor AJ Neis: handrail, guard rail, and hand crank on back bedroom window are the only items left to be completed. We are making progress in the right direction.

Moermond: the items needed to be done for August 20, were the ones already done prior are taken care of, and we have a September 11 deadline and November 1 deadline, it sounds like you're on track is that right Ms. Nguyen?

Nguyen: I may have a problem with November 1, I did talk to Nancy and she's waiting for George to approve. I'm pushing for November 1; we're waiting for the permit from HPC. I'm missing one week, I applied and didn't hear anything, then they told me to contact the HPC.

Moermond: when you talked to George Gause at HPC, did he tell you he had all the info he needed to review, or did he need more?

Nguyen: he needed more, we've been back and forth with email. I'll follow up with him today.

Moermond: so, part of it is dependent on you getting him the information. Let's keep the November 1 deadline, and the September 11 deadline. If you stay on track with

your communication with Mr. Gause and give him what he needs and end up behind we can deal with that when it happens, but I'd like it wrapped up by November 1.

Referred to the City Council due back on 9/9/2020

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 15 **RLH FCO
20-118** Appeal of Jannrit Chranh to a Correction Notice-Reinspection Complaint at 725 CLARK STREET.

Sponsors: Brendmoen

Grant to September 18, 2020 for compliance.

Jannrit Chranh, owner, appeared via phone

Supervisor AJ Neis: Fire C of O correction notice for 725 Clark, the only remaining deficiency on the property, regarding a handrail on the back stairs. It was replaced, but the one it was replaced wasn't done in a workman like manner, it is missing returns, and you can see in the photos the beginning of the return is rather splintered. They need to be tightly secured and have the returns fixed.

Moermond: what are you looking for today Ms. Chranh?

Chranh: the last 2 recent inspections I waited and I don't know if someone was supposed to knock on my door, receiving a letter I can only tell so much of what I needed to do, I felt I should have been able to talk to the inspector. Every time the inspector comes out there's a cost. Last time I waited all day, I called to see if I passed, he was supposed to come Thursday before 4 and no one came. When I called Monday, they said he came Friday, I felt that was unprofessional because I wanted to speak with him because all I got was "replace the handrail". Hopefully this time it will pass.

Neis: looking at the orders and if I could ask, there as inspection scheduled July 30th 11:15, did they show up then?

Chranh: yes.

Neis: next was scheduled for August 13 before 4 pm, and no one came?

Chranh: no one came, I noticed the inspection before that they just came to the backyard, they never knocked on my door. Shouldn't someone come to me and say they're there, and not just secretly inspect?

Neis: typically, we should knock on the door, but it says before 4 pm, I'm just going to run out and leave. With Covid and those type of things if we can avoid contact that's what we're going to do. That's what the intent was here. It does look like he didn't come until the next day, I'm not sure why. Based on that, I'd be more than happy to take care of one of those reinspection fees for you, because of that.

Chranh: that would be great.

Neis: if you were waiting, I apologize, everything you have said is 100 percent correct. Unfortunately, yes, it would have been nice if he knocked on the door and showed you why.

Chranh: yes, I also left a message to speak with him prior to it, and never got a call back, so I felt left in the dark between not coming when he was supposed to and no phone call.

Neis: I see cause for a couple reinspections to be deleted, in order to do that, I ask that you put everything in the record into writing for me.

Moermond: why don't we use the minutes. Describe once again your experience with the appointments

Chranh: prior to me receiving my inspection notice, I called one of the lines, and they gave me his direct lines, I left a message and never got a call back. And then he didn't show up on Thursday, August 18, and then he came and did the inspection and didn't knock on the door. He came on Friday instead of Thursday.

Moermond: sounds like Mr. Neis will be able to adjust that bill for you. As far as the handrail itself, do you still need more clarity?

Chranh: I know he said I'm lowering it and I'm putting the attachments at the end and the middle. I had someone else look at it and they did it for me. The first time I had my dad do it, then someone else, it didn't pass either time. This time I had someone who does construction do it.

Moermond: is it attached in a sturdier way now?

Chranh: it wasn't 36-38" above the fares, I had to lower it.

Moermond: and it wasn't greppable, it was too wide for a hand to grip.

Chranh: yeah, and that one I took off and changed it with another one.

Moermond: the pictures are from August 17.

Neis: Franquiz was supposed to go out today at 3 pm if that works.

Chranh: yeah, I'm just hoping it passes.

Moermond: making it so your sleeves can't get caught at the end of the handrail, it connects up to the wall. Think of sleeves getting caught on it.

Neis: it's a return on the handrail so a sleeve or fire hose doesn't get caught on it.

Moermond: if there's any concern the inspector can show that, or we could send a diagram if you need further clarity. Right now, the deadline was today, the inspector can swing by and take a look. Let's say 3 weeks so you have some time to deal with it, by September 18, if it is not already done today.

Referred to the City Council due back on 9/9/2020

16 RLH FCO
20-114

Appeal of Stephanie Reis, Olson Property Investments, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1133 LAWSON AVENUE EAST.

Sponsors: Yang

Grant to August 25, 2021 for compliance.

Stephanie Reis, owner, appeared via phone

Staff report by Supervisor AJ Neis: this is a Fire C of O Correction notice for 1133 Lawson Avenue E. The only thing under appeal at this time is a removal of the pool on the property. Franquiz noticed the pool was too close to the property lines, less than 4' and the gate on the fence was not self-closing/latching. Request was for the pool to be removed.

Moermond: was there any location in the yard that would be ok?

Neis: it doesn't appear so from the photographs.

Moermond: can you tell me why you're appealing or looking for?

Reis: it doesn't matter to us; I'm appealing for our tenant. They went to a lot of work to keep the pool, when the inspector first came out, the fence had to be covered and self-locking. We made a deal with the tenant, he paid for the fence to be covered and we checked to make sure that was ok, and we paid to have the gate done. It does half a self-closing lock on it and new hinges. We couldn't find anything to lock it, so when the pool is not in use, he locks the gate with a chain. We did all that stuff, and he mentioned the pool was too close from the building, I know one side is good and one side is not. He worked hard to save this, he's a single dad with 3 kids and this is his way to keep them home. It keeps them engaged and busy and he wants the pool for them. So, we are appealing for him.

Moermond: when I look at this, it looks like it is maybe 1 or 2 feet from the garage but more than 4' from the house?

Reis: yes, one side has enough room and not enough on the other. There's not enough room to move it to get the 4' on both sides.

Neis: coincidentally, Franquiz just happened to walk in and he's here and he concurred everything she said. He did mention the fence and the gate but didn't mention the closeness and just put it in the letter without verbally telling them, so I can see why they would think they were in compliance. For that I apologize.

Moermond: it gives me a lot less heartburn from the pool and the house than the pool and garage, which doesn't have a basement. That would be the better of the two, I don't know if there's enough room for 4' from both garage and house. I can work with you on deadlines, but I cannot give variances of zoning code. Here's what I'm going to do. I'm going to recommend you have a year to come into compliance. That's a long period and that should be enough to square away if you wanted to apply for a variance to be closer to the garage. Then he can also use it this summer and next summer, but know it does need to be addressed in the long run.

Referred to the City Council due back on 9/9/2020

2:30 p.m. Hearings (NONE)

Vacant Building Registrations