



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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651-266-8585

Tuesday, November 17, 2020

9:00 AM

Remote Hearing

Special Tax Assessments

9:00 a.m. Hearings

- 1 **RLH TA 20-544** Ratifying the Appealed Special Tax Assessment for property at 142 FIFTH STREET EAST (ROLL HAS 134 FIFTH STREET). (File No. J2014B, Assessment No. 208115)

Sponsors: Noecker

Delete the assessment.

Ayman Salama appeared via phone

Moermond: I'm following up with you about your tax assessment, we talked a few weeks ago about the boarding and you sent a receipt in. I'm not sure what happened that night that the city got a bill and you got one from your contractor as well. That was a crazy night, so I'm going to recommend this gets deleted. That's the right decision at this point. You won't get any more communication about this assessment; it will be deleted from the tax roll. This assessment will go away.

Salama: my landlord charged me for it already. He said he will have to charge me for it, and then they will refund me.

Moermond: it is funny he charged you for that when it doesn't go to Council for many months. We can send you a letter saying it will be deleted and copy the real estate division on that. We'll email that to you.

Referred to the City Council due back on 1/13/2021

- 2 **RLH TA 20-628** Ratifying the Appealed Special Tax Assessment for property at 1627 WHITE BEAR AVENUE NORTH. (File No. J2014B, Assessment No. 208115)

Sponsors: Yang

Approve the assessment.

No one appeared

Moermond: for this property we went through a communication on who was the property manager at the October 20 hearing. After that we got an email from Patrick Sullivan who was the original appellant. On October 23 he sent an email saying he wasn't aware of the invoice and given the City has the documentation he won't contest. I recommend approving the assessment given that information.

Referred to the City Council due back on 1/20/2021

3 RLH TA 20-648 Ratifying the Appealed Special Tax Assessment for property at 1366 ALMOND AVENUE. (File No. J2014A, Assessment No. 208513)

Sponsors: Jalali

Approve the assessment. (PO paid assessment online thereby agreeing with assessment)

Dan Emery appeared via phone

Emery: I paid that online, I was going to be out of town and I got behind.

Moermond: ok, thanks for taking care of that. I'll approve the assessment.

Referred to the City Council due back on 2/3/2021

4 RLH TA 20-660 Ratifying the Appealed Special Tax Assessment for property at 542 OHIO STREET. (File No. J2105A, Assessment No. 218504)

Sponsors: Noecker

Continue PH to May 19, 2021. If no same or similar violations by May 17, 2021, reduce assessment from \$478 to \$100.

Wayne Carlson, owner, appeared via phone

Staff report by Supervisor Joe Yannarelli: this was a summary abatement order issued July 23, 2020 to dispose of a sofa chair on boulevard. Sent to Occupant as well as Horner Family partnership in Minneapolis. compliance date of July 30, rechecked August 5, found not in compliance, and the work was done August 5, 2020 for a cost of \$316, service charge \$162 for a total assessment of \$478.

Moermond: it looks like you're appealing, there's some history at the property, four orders in the past year or so. Those have been taken care of by you when they've come up. What's going on here?

Carlson: why do you think I wouldn't have taken care of it this time if I'd gotten the order? I was over there painting the building that whole period of time. People put stuff out to pick up for free. If I don't get the orders I can't comply with them. I think what you just said is proof I always take care of it when I get a notice. There is no reason I wouldn't have taken care of it this time.

Moermond: why didn't you pick it up if you saw it was there and you know it is a code violation, and you were there the whole time?

Carlson: people put stuff on that corner for free to take all the time. Tenants and people in the neighborhood put stuff out and pick it up.

Moermond: and you know it is your job to maintain your property, we don't have to have that conversation.

*Carlson: I haven't had a discrepancy in over 10 years when I've had my property inspected. Don't insult me about not taking care of my property. I installed a stairway for \$18,000, so don't insult me that I don't take care of my property. You sit in that g*dd*mn office, and you don't know what I'm doing. I work my *ss off, I don't care to be insulted by you.*

Moermond: Sir, it wasn't an insult. What I'm looking at is four occasions where the City had to send you letters to say "please take care of the exterior". That's all I'm referring too; I'm not talking about the building itself. All I'm saying is the City shouldn't have to send you a letter. When I look at this situation, it is a case where if we can go for a period of time without sending a letter, I'm happy to reduce it.

*Carlson: I want notice! Every time I've ever got a notice it is three days to comply, and I have to call the inspector and ask for more time. I was there, I could have taken care of it any time. I don't want it cut back! This g*dd*mn building pays taxes on two sides for street matintence, it pays more taxes as a fourplex than my five unit building does. You're raping me all over the place, you don't need to rape me again.*

Moermond: you use really violent language, you know that.

Carlson: that's the way I talk all the time.

Moermond: yeah. What I just heard was the letter was mailed July 23 and the crew didn't come until August 5, so that's a long period of time, it wasn't just a few days. It was 13 days.

*Carlson: so what, people pick stuff up. It was probably a nice chair. If it is junk I pick it up, if it is good I leave it there. I was out there that whole month painting that d*mn building.*

Moermond: the photograph doesn't look like a good chair. If you don't have any same or similar violations in six months, through May 17, 2021, I'll recommend it is reduced to \$100.

Carlson: I'm not paying anything; I'll take it to court.

Moermond: you can totally do that, there will be instructions on the back of the invoice you receive. We'll put this in front of Council May 19, 2021. We will email him to let his know his public hearing is moved from February 3 to May 19.

Referred to the City Council due back on 2/3/2021

10:00 a.m. Hearings

- 5 **RLH TA 20-665** Ratifying the Appealed Special Tax Assessment for property at 430 DALE STREET NORTH. (File No. J2006P, Assessment No. 208405)

Sponsors: Thao

Delete the assessment (waiver on file).

Referred to the City Council due back on 3/24/2021

6 RLH TA 20-662 Ratifying the Appealed Special Tax Assessment for property at 1092 EDGERTON STREET. (File No. J2013A, Assessment No. 218502)

Sponsors: Yang

Approve the assessment.

Kevin Ren, Midwest GIR, appeared via phone

Lee Yan, Midwest GIR, appeared via phone

Moermond: who are you representing?

Ren: I work for Midwest GIR Group, located in Columbia Heights. The owner is in California. We are their MN representative and help them manage the property.

Staff report by Supervisor Lisa Martin: this is for a summary abatement order for trash bags and garbage on the ground near the alley. There orders were sent November 20, 2019, compliance date of November 27, rechecked December 2. It wasn't taken care of, a second sent of orders was sent November 2, and the work was done December 4 for a cost of \$478. April 13, 20 there was summary abatement order for garbage, January 15, 20 more garbage, November 22, 2019 graffiti, May 2, 2019 dumping, and January 30, 2019 snow and ice. All were done by the owner.

Moermond: Mr. Ren, why are you appealing?

Ren: I started working with Midwest GIR group early 2020 and we never received this letter. I think it is just being sent to 1092 Edgerton. We aren't there, it should be mailed to us. We can't do anything if the tenant doesn't let us know and we aren't receiving it. I would like to give you our office address so it can go there.

Martin: we have listed the owner's address. It is up to the owner to let you know, however there is a form they can fill out to change the responsible party. Just note that many owners in St. Paul never receive a letter. it is still your responsibility as management to make sure the property is maintained. But you can fill out that form for the future.

Moermond: I just checked the file and it show the local Responsible Party is Promel Mathew, Urban Enterprises, Inc on Nicollet in Minneapolis. That was who the owner had previously. They got a copy of the letter too. It is up to the owner to submit a new form saying you are the Responsible party on the property.

Ren: ok.

Moermond: we have an email address and can send you an email with that form, but the owner has to fill it out and send it in. You can't be the one signing it. I'm looking at a case where the owner was notified twice, and they are the ones financially responsible for all of this. I'm not hearing anything that changes that. They should have notified you or had the paperwork done to have it sent to you. In those circumstances I'm left with recommending approval of the assessment.

Ren: can I get my boss in this conversation they know more than me? Lee Yan at

612-232-1803.

[called Mr. Yan]

Moermond: we're conducting a hearing about a special tax assessment for 1082 Edgerton. I'll have Lisa Martin give the background again.

Staff report by Supervisor Lisa Martin: this is for a summary abatement order for trash bags and garbage on the ground near the alley. There orders were sent November 20, 2019, compliance date of November 27, rechecked December 2. It wasn't taken care of, a second sent of orders was sent November 2, and the work was done December 4 for a cost of \$478. April 13, 20 there was summary abatement order for garbage, January 15, 20 more garbage, November 22, 2019 graffiti, May 2, 2019 dumping, and January 30, 2019 snow and ice. All were done by the owner.

Moermond: What Mr. Ren was saying was it would be helpful if the notification went both to the owner and your group at Midwest. And that's something the owner needs to take care of, we can't do that for them. Where I was at was we can definitely email you the form they need to fill out to change the responsible party is. It looks like one was in place for the previous property manager, Matthew Promel at Urban Enterprises. That person got the notification this needed to be taken care of, not you. What I'm stuck with is the owner is ultimately responsible for making sure their property is maintained. They received two notices that said the same thing and they had two full weeks before the crew came to take care of it. They had plenty of time to call you to tell you to take care of it and they didn't. This is about them being responsible for it. I have to recommend approval, but did you have any comments?

Yan: we feel like the owner made honest efforts, we hired someone to drive by every week to look for dumping. That alley has a serious dumping issue. When we first took it over there was graffiti on the garage door. The owner did come and clean up the trees that were overgrown and replaced the garage door which cost \$5,000. They have been making honest efforts to improve the dumping situation. We're trying to say honest efforts have been made by owner and us. We go by in the morning and by the afternoon someone will have dumped.

Moermond: I'm looking at a Waste Management can, those aren't even the ones the City is using anymore. The containers are gray. This is an old container associated with this property that is overflowing. It doesn't look like dumping; it looks like a tenant situation. In addition, two letters were sent and there were two weeks where someone who drove by should have seen it. Bottom line is the owner is responsible. I get they are in California, but the neighbors have to look at garbage piling up. Maybe we can send you a copy of the notification with the picture as well, but it is not great. When the City mails the owner an order with a picture, that's kind of the owner's problem that they didn't act responsible and call you guys. I did watch the video of the cleanup, it wasn't great.

Mai Vang: I did send Mr. Ren the video and the picture.

Yan: can the fee be reduced?

Moermond: why would it be reduced? What's the reasoning?

Yan: the owners have put a lot of money in. With the property taxes, the expenses, and Covid, the rent collection hasn't been great. That's where we're at.

Moermond: first thing I do is look at the history of the property, and in this case I'm seeing since January 30, 2019 to the present there have been six orders issued. That's quite a bit. Those include things that would be unquestionably their responsibility, not just dumping. That's one of the things but receiving two notices is a lot. What I can say is the Mayor, because of Covid, doesn't want the City sending out bills now. So this won't be seen by Council until February 3, 2021 which means no invoice will be sent until after that. If it goes unpaid it won't be seen until the 2022 property tax statement. So there's a lot of time to find the financing. I'm not inclined to recommend any change in this based on history and the two notices, as well as not changing their Fire C of O information. If you want to make an additional plea to the Council for reduction, you can do that. That information should be in the notice of this hearing. We can also include that in the email we send you.

Referred to the City Council due back on 2/3/2021

7 RLH TA 20-667 Ratifying the Appealed Special Tax Assessment for property at 1508 IVY AVENUE EAST. (File No. J2104A, Assessment No. 218503)

Sponsors: Yang

Continue PH to May 19, 2021. If no same or similar violations by May 17, 2021, reduce assessment from \$322 to \$161.

Lisa Brass appeared via phone

Staff report by Supervisor Lisa Martin: This is for a summary abatement order for tall grass and weeds. Orders were sent July 9, 2020, compliance date of July 13, 2020, rechecked on July 15. Work was done July 16 for \$160, service charge of \$162 for a total assessment of \$322. Orders sent to BRP II LLC, 2025 4th St, White Bear Lake, MN 55110, Lisa Brass at that same address, and the occupant. There is history, October 14, 2020 vehicle abatement, May 5, 2020 garbage, and July 30 tall grass and weeds, all abated by owner.

Brass: I don't mean to waste time, but I was under the impression it was \$160 for the cutting of the grass, then when it was \$322 I called and I thought these additional fees were added on because I didn't pay the \$160. I don't know if that was true. I agree the grass was tall, I'm asking if we could somehow reduce the fees associated with this charge.

Moermond: fees are attached with all of these. The person talking to you must not have understood how the billing process works, which is unfortunate. Looking at the history here, I'd be willing to reduce it in half if you can have no same or similar violations for six months. That means staying on top of garbage, shoveling the walk. Is that something you can do?

Brass: I think that's fine. The garbage and the other things happened because we had a turnover during the time. It was a learning process with the new tenants to learn what is accepted. They are very good.

Moermond: No same or similar violations through May 17, 2021 and we'll reduce it in half. The public hearing will be May 19, 2021.

Brass: So I do nothing now?

Moermond: we'll check the computer system before that hearing. If there are violations it will be approved, if there haven't it will be reduced by half. Know that you have 24 hours to take care of snow.

Referred to the City Council due back on 1/20/2021

8 RLH TA 20-659 Ratifying the Appealed Special Tax Assessment for property at 663 THIRD STREET EAST. (File No. J2106A, Assessment No. 218505)

Sponsors: Prince

Continue PH to May 19, 2021. If no same or similar violations by May 17, 2021 delete the assessment.

Douglas Finch, owner, appeared via phone

Staff report by Supervisor Lisa Martin: this is a summary abatement order for tall grass & weeds. Orders were sent August 17, 2020, compliance date of August 24, rechecked August 25 and the work was done August 31, 2020. The cost was \$160, service charge of \$162, for a total assessment of \$322. This is a category 2 vacant building. There is some history. January 29, 2020 snow and ice, January 10, snow and ice, July 19, 2019 tall grass and weeds, May 30, 2019 tall grass and weeds.

Finch: my brother is Richard; he owned the property for 12 years and had problems with it. I took over the project, Candace is my girlfriend. We bought the property from him. We're close to having it done and inspected and off the vacant building list. I did see the videos and the work order and I cut the front grass. I didn't weed whip close to the house because of the siding. You came and did do and cause damage to the wood siding. It is also right next to a vacant lot that you come and trim occasionally, I saw you did take care of that then. I also got another letter about some garbage which I went and walked through and didn't see anything. I tried to call on that. I don't know what you're specifically wanting when I do get the letters.

Moermond: this one seemed straightforward about cutting the grass.

Finch: and if you look at the video the front yard is maintained. I did go over there. It is on a hill so I just weed whipped. As far as the back yard I have a big dump trailer back there we are throwing things in there. I had it removed, so there was some overgrown stuff where that was. It has been a vacant building since my brother bought it. I have one more plumbing inspection.

Moermond: I'm looking at your records here. They allowed you to use the new permits, so you were fortunate in that.

Finch: I just got another letter to do a fire inspection. That is scheduled for December 4.

Moermond: it looks like you had a team inspection by Fire. Because you need a Fire C of O to occupy, they will coordinate with Trades inspectors. That happened July 17, 2015 and then completed a new one July 9, 2020. I do see an appointment letter for December 4. I can look into why that's going on, you shouldn't be getting that since you're not out of the vacant building program yet. They will retract that. I'm seeing you've had four incidents since mid-2019.

Finch: we just recently bought it and are finishing it up. He's had issues with it, he

bought it from someone he knew and gutted it and tried to do things without permits. We had to redo a bunch of things because it is historic. Everything else is signed off on besides plumbing. I'm maintaining it as much as I can.

Moermond: I'd like to help you out with this, I'd like you to proactively take care of the property. If the City is sending letters then the City is the property manager, not you. I'd like you to make sure you're over there weekly. Shovel in a timely manner. If you can have no same or similar for six months I'll recommend this is deleted. On May 17, we will check and if there aren't any problems I'll recommend it gets deleted at your new public hearing on May 19, 2021.

Referred to the City Council due back on 2/3/2021

Special Tax Assessments-Garbage

- 9 [RLH TA 20-654](#) Ratifying the Appealed Special Tax Assessment for property at 580 DAYTON AVENUE. (File No. CG2003A1, Assessment No. 200139)

Sponsors: Thao

Approve the assessment. (PO has already paid assessment)

No one appeared

Moermond: follow up on this property. Ms. Roberts didn't understand how the billing worked, so in order to help her Ms. Pillsbury did follow up. What did you learn?

Staff report by Clare Pillsbury, Public Works: we confirmed with the hauler the payment made in July was applied to the Quarter 3, 2020 invoice. We did explain this to the owner and she agreed with the recommendation to approve the assessment. She actually paid it on November 4, 2020.

Referred to the City Council due back on 11/18/2020

Special Tax Assessments-Rolls

- 10 **RLH AR** Ratifying the assessments for Property Clean Up services during August
20-157 3 to 14, 2020. (File No. J2105A, Assessment No. 218504)

Sponsors: Brendmoen

Referred to the City Council due back on 2/3/2021

- 11 **RLH AR** Ratifying the assessments for Property Clean Up services during August
20-158 17 to 31, 2020. (File No. J2106A, Assessment No. 218505)

Sponsors: Brendmoen

Referred to the City Council due back on 2/3/2021

11:00 a.m. Hearings

Summary Abatement Orders

11:30 a.m. Hearings**Orders To Vacate, Condemnations and Revocations**

- 12 RLH VO 20-54** Appeal of Ruby Nguyen to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 777 SIXTH STREET EAST.

Sponsors: Prince

Grant an extension to May 15, 2021 for items 2 and 4 (ground cover and parking surface) and to February 1, 2021 for items 1, 3 and 5 (back stairs, windows and exterior items).

Ruby Nguyen, owner, appeared via phone

Staff report by Supervisor Leanna Shaff: this inspection process started last March. Prior to even the first time we were able to get in, there were two separate occasions where the PO called to reschedule. We've been in April 20, May 26, July 20, in the meantime we were in hearings here twice. The first time June 16, and Ms. Nguyen was given to July 17 to bring the property into compliance and failed to do so. We were here again August 25, recommended that items should be finished September 11 and November 1, 2020. When inspector Franquiz went back to the building November 2, he found that the building was not in compliance. He revoked the Fire C of O with a vacate date of November 30. There are six items on the list, but one is the reason for revocation of the Fire C of O.

Moermond: how many times have inspectors been out at the property?

Shaff: at least six.

Moermond: what do you estimate the bill would be right now?

Shaff: through the last inspection, not including any subsequent reinspections, we are at \$726.

Moermond: Ms. Nguyen, you didn't have the items done. It sounds like you ran into problems because you didn't have a building permit reviewed by the HPC and got flagged.

Shaff: the building permit is still open. Inspector Zane had written there was no approval for vinyl siding or window replacement through HPC. He also notes on the porch entry in the rear the step replacement has extensive rot and needs siding repair before reattaching stairs. A lot of deferred maintenance. Those notes were made on October 2 but the in-date for HPC on the driveway and rear parking was October 13 and it took Ms. Nguyen even longer to contact HPC as far as the rest of the repairs.

Nguyen: everything is done that I can control. What the City inspector was citing about the windows, I don't know if they contacted HPC and they stopped my order for the siding and windows. There was a meeting with HPC in October and they said it wasn't a legitimate permit. I don't know if they don't work together. I paid \$500 for a permit.

Moermond: I don't need to know what you think you've done. I want to know what you're

looking for right now. We've had this conversation many times. I want to know specifically what you're looking for today.

Nguyen: an extension.

Moermond: to when and for what items?

Nguyen: siding, windows, back stairs and driveway. All of them. They're all under HPC. We had a meeting yesterday and they gave me the go ahead to start. They have to give me materials before I can start.

Moermond: what day are you looking for, and for what items? For example, some are weather dependent and some are not. Parking pad is weather dependent. Back porch and windows and siding isn't. Give me specific dates you are asking for, for consideration. I'm not going to make something up out of thin air. We've done this three times already.

Nguyen: my contractor is ready to go but we have to order the siding, that can take six weeks and then three weeks to do the work. Also the painting if they don't let me do the soffits in aluminum.

Moermond: they can paint the soffits inside and then install, so that isn't necessarily weather dependent.

Nguyen: I have to order the windows. They don't want vinyl. I'm still waiting for George to email me.

Moermond: how long have you owned this property?

Nguyen: since 2009.

Moermond: so you should understand you were in a historic district and when you applied for a building permit. You should have let them know and had it reviewed accordingly.

Shaff: isn't your husband your contractor?

Nguyen: no.

Shaff: your husband pulled the building permit.

Nguyen: we pulled it but a different contractor is doing it. They work under my permit.

Shaff: so your husband is the contractor?

Nguyen: I pulled it; I don't know why they put it under my husband.

Moermond: he applied and told them to do it on the form. They don't pull that out of thin air. Now you're telling me he's not the one doing the work. That's a little bit tricky. He's wearing two hats, the contractor and owner hat.

Nguyen: I put the application in. I don't know why they put his name.

Moermond :I'm really having some trust issues here. Looking at this list, I'm giving you

to February 1, 2021 to complete all of the building items. That takes into account the six weeks for delivery. The parking area I will give you to May 15, 2021 to get done.

Nguyen: the porch may need to be torn down and rebuilt.

Moermond: your fire C of O bill is \$726 and is only going up. That's the only thing I can hold over your head, nonperformance will make that go up more. I am frustrated with the position you put me in.

Nguyen: I'm sorry, I don't know why the City and HPC didn't work together.

Moermond: you've had these orders since April, with the opportunity to sort this out long before last week. You've been using the system to push this out as far as you can. Representing the system, I'm telling you I'm at the end of my rope on this. Please get this done on deadline. My trust of you is hanging on this.

Nguyen: I'm sorry. Thank you for that. I want to get it done as soon as I can.

Moermond: get it done on the deadline I gave you which is what you asked for.

Referred to the City Council due back on 12/9/2020

1:30 p.m. Hearings

Fire Certificates of Occupancy

13 RLH FCO 20-147

Appeal of Greg Schiffer, on behalf of St. Paul's Outreach, to a Fire Inspection Correction Notice at 2023 ASHLAND AVENUE.

Sponsors: Jalali

PO must apply for determination of similar use by December 21, 2020. Must comply with fire orders or determination of similar use by April 1, 2021.

*Leslie Witterschein, attorney at Spencer Fane, appeared via phone
Greg Schiffer, VP of administration for St. Paul Outreach, appeared via phone*

Moermond: we left things off needing to have some homework done. We talked about the student housing and you did keep the paperwork on that and are student housing. The papers were filed in a timely fashion. We were left with the question about over-occupancy, due to zoning regulations. You have brought up specifically in your attachment the case of your property on Grand Avenue. I reviewed that case and discussed with the City Attorney's office and zoning administrator and have carved out a path for this to proceed. What I think needs to happen is that you folks need to apply for a determination of similar use. I'm hoping you can get that filed within 30 days, and then we'll give some time for the City to respond and we'll give 90 for resolution. I did speak with the attorney who wrote the resolution for the Grant Avenue resolution so he's familiar. This shouldn't be a big hurdle to cross, the similar use is the religious retreat use you're seeking. It is the same as Grand Avenue. That was a bit different than the planning commission review which was seminary use. We are at that point, the use being a religious retreat and that would allow for the higher level of occupancy. When that is granted, and I'm not seeing there should be any issues, it would make sense for you to withdraw your paperwork on declaring yourself student housing because you wouldn't be student housing anymore. Don't do that now before

you go through the zoning process. We will send you a letter with his contact information but you will want to contact YaYa Diatta. That application is the way to get to the other side, you still need a Fire C of O and the square footage occupancy requirements.

Schiffer: in this intervening time frame are we good to go since we don't have a Fire C of O?

Moermond: you are being given time to get this determination of similar use and the Fire Inspection folks know about that time period. If you don't end up getting that determination we are back here in the same boat, enforcing the zoning code. I don't foresee that being an issue though from the people I talked to.

Referred to the City Council due back on 12/9/2020

**14 RLH FCO
20-145**

Appeal of Laurel Hedlund to a Fire Inspection Correction Notice at 709 BEDFORD STREET.

Sponsors: Brendmoen

Grant to April 1, 2021 for compliance with orders on emergency escape and rescue opening.

Laurel Hedlund, owner, appeared via phone

Moermond: I understand you've talked with staff and will be installing a window in the front window. You have to order it and get it installed, what kind of timelines are you getting on that?

Hedlund: they told me four months and I have already paid the first half. I would say end of March would be good.

Moermond: that sounds fair. Let's say April 1, 2021 for compliance through installing the window.

Hedlund: can the tenant use it in the meantime?

Moermond: you don't have to come into compliance until then, they can continue to use it since you have an extension.

Referred to the City Council due back on 12/9/2020

2:30 p.m. Hearings

Vacant Building Registrations

**15 RLH VBR
20-69**

Appeal of Nneka Constantino to a Vacant Building Registration Requirement at 1282 HAGUE AVENUE.

Sponsors: Thao

Waive the VB fee for 120 days (to February 23, 2021).

Nneka Constantino appeared via phone

Staff report by Matt Dornfeld: this a category 3 vacant building. All permits are on file. I believe the property is looking for an extension on the vacant building fee that is due to finish the code compliance work.

Moermond: how close are you to getting that code compliance certificate?

Constantino: the inspector walked through and said was about 90 percent done. There was a delay on cabinets when I was dealing with the first contractor, due to sizing and Covid. Once those are delivered we just have painting left to clear the code compliance.

Moermond: this is a common request. The finish line is the certificate being issued. I'm totally ok with an extension for this. A normal one is 90 days which puts you to January 23, but I will ask the Council to give 120 days to February 23, 2021. That should cover the time period for cabinet delivery and installation.

Constantino: yes, that should do. We can do the fixtures after those are installed. We should be done well before that.

Moermond: if the four months comes and goes and for some reason you don't have your code compliance certificate it will be processed as an assessment. That is also appealable. If you are done before the six month mark we can prorate the vacant building fee. Definitely keep in communication.

Constantino: I think we'll be done; they actually just got the cabinets and they are installing them now.

Referred to the City Council due back on 12/9/2020

**16 RLH VBR
20-71**

Appeal of John Hutton to a Vacant Building Registration Notice at 1823 HEWITT AVENUE.

Sponsors: Jalali

Refer back to LH January 19, 2021 at 2:30 p.m. for further discussion on timelines and schedule.

John Hutton appeared via phone

Staff report by Supervisor Matt Dornfeld: we received a neighborhood complaint October 13, 2020 that basically stated it has been vacant a while and it appeared there was some open building projects in the rear of the property that haven't been completed yet. Code investigated and found the house to be vacant. November 2017 and September 2018 the building permits were pulled. They referred it to building inspection who confirmed again it was vacant. We opened up the vacant building due to exterior code violations and it being vacant at the time of our inspection.

Hutton: my wife and I purchased this building for the purpose of providing housing for international students at the U of M. I'm not officially connected but I'm a volunteer with an organization that serves international students. Because of some job changes I had some financial setbacks that prevented me from moving forward with the earlier permits. As I submitted in my appeal, I have secured a loan to finish the rehabilitation. My intent is to have two bedrooms. This year has not been easy for a number of reasons. When Covid came the international students in the program we served weren't

able to come anymore. The urgency of me needing to finish diminished.

Moermond: what I'm seeing with your situation is you have a house, and it has been empty for a while. You have some action that came to a stop with Covid, now you're going to get it going again. Do you have a sense of the timeline for finishing and ready to be occupied?

Hutton: after Covid. From the looks of things with the vaccines it sounds promising. It is my intent to pursue a new building permit to add those two bedrooms.

Moermond: I know the vacant building fee will be onerous but I also see you will be some time before it gets done. I'm going to ask the Council to send it back to me to look at again in two months, January 19, 2021. I'm going to look at it then and have a much better idea of how you'll be finishing the work so we can tailor a solution with the vacant building fee that is appropriate. I'd like Mr. Dornfeld to allow you to pull permits and we'll revisit this conversation in January when you have a better sense of your plans and schedule.

Hutton: I'm planning to do a large part of the work myself,. Let's say I take out a new building permit, how long before that would expire? Do I have until June to finish?

Moermond: building permits are good for six months, but as long as you're working on things and it is active it will last much longer. The vacant building fee I would like to figure out in a couple months once we know where you're at. I'm struggling with you being out of the vacant building program without you having an end game.

Referred to the City Council due back on 12/9/2020

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Appeal of Alex Delendik to a Vacant Building Registration Notice at 609 SIMS AVENUE.

Sponsors: Yang

Layover to LH November 24, 2021 at 2:30 p.m. (rescheduled due to LHO's schedule).

Laid Over to the Legislative Hearings due back on 11/24/2020