



# 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*  
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*651-266-8585*

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Tuesday, June 29, 2021

9:00 AM

Remote Hearing

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

##### Remove/Repair Orders

- 1 [RLH RR 21-11](#) Ordering the rehabilitation or razing and removal of the structures at 318 EDMUND AVENUE within fifteen (15) days after the April 21, 2021, City Council Public Hearing. (To be referred back to May 11, 2021 Legislative Hearing)

**Sponsors:** Thao

*Layover to LH July 13, 2021 at 10 am (to be discussed with 657 Sherburne).*

*No one appeared*

*Moermond: unusual circumstance. We laid it over to today with the expectation of a certain number of items to be done. All of which still have not been done. Staff have not received anything. Simultaneously the same property owner has 657 Sherburne which Council referred back to Legislative Hearing on July 13. We are continuing this so it can be talked about at the same time as the Sherburne property. I want to make sure we are super clear the same financing isn't being used to rehab both properties. We'll have to sort that out and get clear on how she's managing that. One larger conversation at once.*

**Laid Over to the Legislative Hearings due back on 7/13/2021**

- 2 [RLH RR 21-15](#) Denying a stay of enforcement of demolition for property at 655 JESSAMINE AVENUE EAST.

**Sponsors:** Yang

*Deny the appeal to stay enforcement.*

*Called at 9:19 am on June 29, 2021: difficult to leave message, called again right away.*

*Voicemail at x5515 at 9:21 am on June 29, 2021: Good morning Mr. Ray this is Marcia Moermond calling from St. Paul City Council to discuss 655 Jessamine again per the letters we sent you. We'll try again in 10 minutes.*

*Voicemail at x5515 at 9:30 am on June 29, 2021: good morning this is Marcia Moermond again calling about 655 Jessamine. We tried to reach you a couple weeks ago unsuccessfully. We haven't received any of the materials we are looking for to continue the stay of enforcement. I don't know what else to do other than recommend they deny the request for stay of enforcement. This will go to Council Wednesday, July 14. Call my office with any questions and we will send a letter confirming that recommendation.*

*[Note: all letters confirmed a July 7 CPH date, not the 14th as stated in voicemail - JZ]*

**Referred to the City Council due back on 7/7/2021**

**3**      [RLH RR 20-22](#)

Ordering the rehabilitation or razing and removal of the structures at 678 SNELLING AVENUE NORTH within fifteen (15) days after the May 27, 2020 City Council public hearing. (To refer back to Legislative Hearing on July 27, 2021)

**Sponsors:**      Jalali

*Refer back to LH July 27, 2021 at 9 am for further discussion. PO to submit updated report, including a schedule of potential funding sources and timeline(s) by close of business Friday, July 23, 2021.*

*Gene Gelgelu, AEDS, appeared via phone  
Lisa Kugler, consultant, appeared via phone*

*Voicemail for Kugler at x8954 at 9:25 am on June 29, 2021 : calling about 678 Snelling N. We'll try back in a little both so we can have both you and Mr. Gelgelu on the line.*

*Voicemail for Kugler at x8954 at 9:33 am on June 29, 2021: this is Marcia Moermond again trying to reach you to discuss 678 Snelling. We're going to call Mr. Gelgelu. We were looking for an update of where you are at. I need to keep moving along to see progress that can be documented. I'll call him. We need to keep the lines of communication open.*

*Moermond: this is Marcia Moermond. We just tried to reach Lisa Kugler and we couldn't get through, we tried 10 minutes ago and then again moments ago. We don't have her on the line with us. We have the document she prepared in mid-May talking about where you were at, a progress report on the engineering work, funding, but I don't know where things are at now. I need a progress report on all of this. Where are you at. I do need something in writing at the very least. This has been going on a year and a half, so you understand where I'm coming from.*

*Gelgelu: we just acquired the building January 15. That would have been with the previous owner.*

*Moermond: yes, you bought a building with an order on it.*

*Gelgelu: you know, I am very interested in finishing the rehab and moving into the new location. The challenge has been fundraising. It costs about 3.4 million and we tried to raise that. One thing we anticipated in early May was the State appropriation. As you know, the State has not made that decision. They have not come to an agreement on May 17 like we anticipated. They were closed for special session. That's out of our control. Now we have community engagement on the building. Last week we met at a nearby café, the Snelling Café, and showed the public what was going to happen and*

got feedback. We are also raising funds from philanthropy. We had a meeting with the AEDA to get the remaining funding once we do know how much we get from the state. So there is a lot of stuff going on. The issue is we have to move to the next step. Hopefully the State will make the final decision shortly.

Moermond: you have seven funding sources listed, MN Deed appropriation. Met Council you have \$100,000 in predevelopment funds. 2 federal sources, Bigelow and Polad Foundations and a Neighborhood STAR grant. I'd like an update on where all of those things are at, and precursors for them actually committing the dollars.

Gelgelu: the Bigelow has been secured, \$200,000. So we have another fundraising consultant focusing on fundraising for the building. The St. Paul Foundation is helping us with that, focusing on the building. Polad Foundation is pending and submitted. There was \$200,000 we have approved from the Bigelow Foundation. Met Council has been secured. The STAR Grant is pending. The State is pending. I had different information last week than this week. It is hard to keep on the state and get concrete final budget.

Moermond: do you have your preliminary engineering report done?

Gelgelu: I thought we gave you, not the engineering, but the preliminary sketch for the floor?

Moermond: the report provided from Lisa Kugler indicates the federal funds need a preliminary engineering report. I'm assuming you didn't have that document in mid-May.

Gelgelu: I don't know if it is called that. The architect did the drawing and design.

Moermond: so maybe, I guess I'm looking for an updated written report. Is Ms. Kugler still involved?

Gelgelu: yes, she's still there. Do you mind if I call an office number?

Moermond: you can, but it is hard to hear through your phone. We've already tried twice.

Gelgelu: I want to tell her to pick up.

[Gelgelu dials Ms. Kugler at 9:43 am and tells her to pick up. City called her again at 9:44 am]

Moermond: nice to get you on the line Ms. Kugler. We did try and leave 2 messages earlier. We're talking about updating the progress report from mid-May about where things are at. I know we did not have the State information locked in but looking at the funding and what are necessary precursors for application for funding and some background of applications made and deadlines of those. Would you be able to provide an updated written report on that information?

Kugler: I did think of that last week. There isn't a huge amount of content but I'd be happy to do that.

Moermond: we should have better information on the State stuff in a bit. Is that your take on the State budget situation?

*Kugler: unless Gene knows differently, what they did with all of the capital requests from nonprofits was take out the names and allocate 24 million to DEED for economic development projects along with every project except for housing. Art, social services, etcetera, so seemingly AEDS has a good chance of applying for the State money and getting it because it was in the queue and has some political support. I'm not sure why they did it that, we have no idea how DEED is going to distribute that money. The strategy we have is as soon as legislature is over we send a message to DEED and explain we need a commitment from them prior to the federal money. So something before the process that will take 6 to 8 months. My second or third hand experience from money given to DEED a couple years ago, and that was program money not capital money, it took them a while to create a program and have people apply. I think it is clear there will be money in the State budget but there's not a million dollars with AEDS's name on it specifically.*

*Gelgelu: that's what I was debriefing on. A lot of things are changing with the State budget. The language regarding the requirement, as of last week, was that the old requirement of describing what was on the bill. So that language changed. That's challenging to exactly know because we don't know the negotiating timetable.*

*Kugler: the other piece of news we can give you is that Gene and I had a call with the state representative, who still doesn't know when that will be issued, but who we had an hour phone call with him talking about the project and organization. He seemed very positive about it, for what that's worth.*

*Moermond: that sounds really positive.*

*Kugler: yeah, but they have been saying 4 to 6 weeks for 4 to 6 months. We have the money from the MET Council, the predevelopment grant that will let us do a market study, which is one thing everyone will want eventually. That's done. Did you tell them about the community meeting?*

*Gelgelu: yes, that and the Bigelow \$100,000 we got. Also philanthropic fundraising.*

*Kugler: we haven't made further progress with the water department, but we plan to hire Horner Kimley to help us work out a plan for not having to rip up Snelling avenue. The EDA requires an architectural and engineering report which is a detailed list of all the work that needs to be done in the building. The architect is working on that. The major thing is they have worked with a structural engineer to understand how to make the parking work. We'll have 7 or 8 spaces, not 9. The City Councilmember was at the community meeting and offered their help, in terms of getting faster action from the water utility and Public Works. So really it hinges on that federal money. Plan B is more philanthropic money and a loan. But from what we know we are a good fit for that federal money and we are trying to be as ready as possible. But we are still talking 6 to 8 months to start.*

*Moermond: I'd like a schedule of how you are anticipating the pieces to fall together on this so there's a way to chart progress as we move forward. We of course have notes from these discussions but having a plan you develop is probably the cleanest way to communicate what you want to, not our interpretation of what you're saying. I'd love an updated written report. Today is June 29, we have a holiday weekend coming up. Can I get a thorough report with a timetable for us to discuss on July 20th?*

*Kugler: we'd discuss it on the 20th?*

Moermond: yes, so we'd have it a couple days ahead to review before the conversation on the 20th.

Kugler: ok, I'll put a comment on there acknowledging things keep changing. We could have significant changes.

Moermond: understood. I know there is a lot of moving pieces here. That is really understandable but I'm looking to maintain solid documentation about how your project is different than similarly situation nuisance building. How I see it is that you are a not for profit undertaking a major rehab with complex financing. If we can maintain ongoing documentation that maintains that explanation about why the City wouldn't take faster action and you are continuing to work in good faith. Mr. Manger, would you add anything from DSI's perspective?

Magner: no, I think we're ok as long as they continue maintaining it.

Moermond: ok that sounds good. We'll talk again in a month and you'll have a chance to update the information you already provided and provide a schedule of now things look now. That is with the understanding it is all subject to change with a lot of moving parts.

Kugler: if one were to create a system that would be awkward and take a long time this is what it would look like.

Moermond: yep. Thank you for working with me on what I need to keep this clean on our side. I look forward to seeing ongoing progress on this worthwhile project.

**Referred to the City Council due back on 7/7/2021**

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 4     **RLH SAO  
21-40**     Appeal of Bob Marley, Jr. to a Summary Abatement Order, Vehicle Abatement Order, and Correction Notice at 1450 DALE STREET NORTH. (To refer back to June 22, 2021 Legislative Hearing)

**Sponsors:**     Brendmoen

Grant to July 16, 2021 for compliance with the appealed Summary & Vehicle Abatement Orders and Correction Notice dated April 29, 2021. (Making finding hearing July 20, CPH July 21)

Bob Marley Jr appeared via phone

Daniel Monari, Interpreter from University Language Center, appeared in person

Moermond: this is Marcia Moermond, we have an interpreter present, he will introduce himself. This is a follow up hearing. We have 3 orders about the conditions in the yard. One has to do with cleaning the yard, one has to do with 2 vehicles and the last has to do with the fence needing repair. Supervisor Lisa Martin is on the phone and will walk us through the progress the inspector has seen. Why don't we begin with the status of the fence in your April notice?

Staff report by Supervisor Lisa Martin: the fence was leaning in back yard. We asked

them to get a permit. There is no permit at this time. There are current photos taken from this morning. The inspector said not much has changed.

Moermond: the fence has not been repaired and continues to lean?

Martin: he's trying to build another makeshift fence and adding a door or something. None of it meets code. It isn't a professional state of maintenance by any means.

Moermond: does this require a permit?

Martin: he's installing another section of fence it appears, bringing it out to the driveway area. Repairing a fence doesn't require one, but it looks like he's trying to enclose the entire backyard.

Moermond: repairing doesn't require a permit, extending does.

Martin: yes.

Marley: I have a permit. The fence is fine. Whatever was there was heavy set, whoever went there is much bigger than him, he used the side to get in. The fence is fine. I pushed the fence aside so whoever goes in doesn't get poked by the fence.

Moermond: Ms. Martin, I'm struggling. He's saying the fence was moved so the inspector could get in.

Martin: Inspector Williams was at the property and met with Mr. Marley this morning. He allowed access to take photos. None of this would meet code. He needs to pull a permit, maybe get a professional to build it to code.

Marley: Inspector Williams said I am doing what I'm supposed to do and last time people went to my house they stole the timber. Richard stole it. As far as the vehicle, I have the tabs and as far as the timber in the front. That's my timber. I have a permit to build the fence.

Moermond: you have a permit from 2020 and that portion of the fence was completed and the inspector signed off on it.

Marley: I renewed the fence permit, I never built anything.

Moermond: that doesn't look consistent with the records online. Ms. Martin?

Marley: things look better now. the vehicles have tabs, they are used to go to work.

Moermond: last time you told me you were going to donate the Mercury and get rid of it.

Marley: no, I have tabs now.

Moermond: so you changed your mind?

Marley: it drives. The only thing that was missing was a thermostat. I got one right now.

Martin: back to the fence. That was finalized in 2020. Since then he has built some shanties, extended the fence which needs a new permits. He did go to DSI and talk to the permit desk. He chose not to get a permit at that time. He said he was going to do

*an enclosed porch off the deck. He didn't do that. There are no permits for fence or any shed structures. The new fence extension are parts of the shanty from next to the garage. Most of the 2x4s in the yard are just pieces of OSB. They are parts of other things; this would be considered miscellaneous debris. Mr. Williams said the vehicles didn't work. Broken taillights and missing window.*

*Moermond: the inspector broke the window? Is that what you're alleging?*

*Marley: they broke the window of the red car and came with 6 policemen.*

*Martin: for the record Richard didn't touch the truck or anything in the yard. The police always video at the property. He knows he needs to fix the vehicle and has failed to do so.*

*Moermond: if you are alleging that City staff did this damage, the proper way to deal with it would be to file a claim with the City. It sounds like six officers were present and they all have body camera video that could be used to support or disprove your allegations. Filing a claim against the City is the way to handle that, I cannot handle that here. I need the vehicle to be operable and safe on the road.*

*Marley: I have to take care of the outside before I address this issue.*

*Moermond: we're talking about the cars right now and you made an allegation of why the cars are not code compliant. How are you going to repairs those cars so they are road safe?*

*Marley: you are talking about the 2000 white Silverado?*

*Moermond: we have two we are talking about. A black Mercury car and a white pickup truck that is a Chevy. The black Mercury you said you were going to donate, now you say you aren't because you got tabs. Tabs were one of the problems. The other problem was it appears not to be roadworthy and have all of its parts. One was a window; one was a rear taillight. You said an inspector damaged those things. My response is you need to file a claim with the City but you still have a responsibility to make the cars roadworthy.*

*Marley: today I can hear you very clear. The Mercury Sable could not be driven because it didn't have plates. Today I have the plates and the tabs.*

*Moermond: that's one of the problems it had.*

*Marley: the other vehicle the window was the problem.*

*Moermond: the other vehicles didn't have tabs either.*

*Martin: the black Mercury was missing a front and back light and didn't run.*

*Moermond: is the truck in compliance except for the junk in it? And the car isn't because the taillight is broken?*

*Martin: the white vehicle is missing a window and it has a rope around the front of it. I'm not sure it even runs. The black vehicle we don't believe runs and is missing a taillight and has a cracked front headlight.*

*Moermond: so one is being held together by ropes and they both need to be shown they are drivable. The junk also needs to be addressed. Let's move onto the next thing.*

*Marley: check the pictures good. If he's taking good photos he must not be labeling good.*

*Moermond: has anything left the yard? It looks like things have been moved, been rearranged. What things have you moved?*

*Marley: all the bags and yellow buckets have gone. The boards on the side are gone. He doesn't see what I've done. He just sees stuff in the yard. Today it is all wood, he didn't see anything else. He tells me I'm doing a good job. I've been doing it by myself.*

*Martin: these orders were for a compliance date of May 13. We are at the end of June. It is minimal for any compliance.*

*Marley: you can check again tomorrow.*

*Moermond: I don't see bicycles in the photos. I do see yellow buckets in the photos. I do see those are gone.*

*Marley: god bless you for seeing that.*

*Moermond: we need to have an appointment for you with the inspector to show the vehicles are road worth and they run. Well figure out a deadline for that. We need to talk about that fence and repairing the section that is leaning and the part you want to add. Tell me about the lumber in the yard and what will be used for new fencing.*

*Marley: they are being used for flower beds. The wood you see in the yard they are sectioned by different category. Some are treated wood. Some is wood for flower beds. Some for recycling. Some for trash. Some for donation. I don't just take everything to the landfill. The cars, some of the parts can't be found so you have to order them and wait for them. The car is drivable, it has plates. It is good to go. The only problem was the thermostat and the air in the tires. I haven't done that either.*

*Moermond: yes you need air in the tires to be drivable.*

*Marley: it is not flat. Ten percent of the air is gone.*

*Moermond: yes I can see that in the pictures. If you are going to extend that fence I need you to pull a permit for that. Ms. Martin will reach out to the counter staff so if you stop in they will know what's going on. Right now it looks like they didn't extend your permit. You have an old permit you completed the work on. There is no extension, it was just finished. If you want a new section of fence you need a new permit. If they reopen the old permit we need to make sure everyone has the same understanding. It doesn't look that way right now. Ms. Martin will reach out to them and you talk to them to make sure they're in agreement that's what happened. I don't think they have the same understanding as you do about that.*

*Marley: I'm not an enemy to you guys. When I went there I was told the old permit was good. They treated me very well, here you don't treat me right.*

*Moermond: we are all trying to make sure we understand each other. I think there was*



some miscommunication about this. What I need to do now is put a deadline for the rest of the yard to be cleaned up, for the makeshift shed. You can have a 10x20 you build on your own?

*Martin: yes as long as it is structurally sound.*

*Moermond: so you can, without a permit, build up to a 10x20 foot shed. However, it has to be structurally sound. If it isn't, the City will say you need to pull a permit because it doesn't look sound and safe. That is what the inspector is saying here. The building he is doing doesn't look safe so they want a permit. We talked about this before, that is still the case. Unsafe, please permit the work.*

*Marley: I understand. I don't try to build something unsafe. It is Lisa and the other people who are complaining.*

*Moermond: they are the professionals who make that determination and they have done so.*

*Marley: Lisa is a good person, but the people who are working with her are the ones who started this. The people who used to live here started all the problems.*

*Moermond: and I'm focusing on the here and now. I'm putting a deadline in place for all of the things to be taken care of. That deadline is July 16. That's a Friday. So Ms.*

*Martin, do you have your inspector's calendar to visit on July 19?*

*Martin: I'd be happy to meet with Mr. Marley on the 19th at 10:00 a.m. and he can show me the vehicles are working and look at the property.*

*Moermond this will go to Council July 14 with the recommendation they grant an extension to July 16 for compliance with the appealed orders. July 19 you will have a 10:00 a.m. appointment to see if things are taken care of and staff will report back here July 20 so we can make a finding if it is done. July 21 the Council will look at it and say it is done and wrapped up, or it isn't, and allow a Parks crew to clean the yard and police to tow the vehicles. We'll send a letter confirming this. We'll interpret now and send the letter in English and translated.*

*Marley: I want to use the vehicles to take things away. The white vehicle. And once I'm done I'll do the repairs.*

*Moermond: why the delay?*

*Marley: while I'm hauling things I may break the window and end up repairing even more.*

*Moermond: then I suggest you use the pickup early on so you can repair the window before the July 16 deadline.*

*Marley: I work hard and am outside many hours. The neighbors give compliments about being my neighbor.*

*Moermond: I appreciate that but I need to finish up. I've given deadlines. We've spent several times talking about these items. I do see you've made progress but I need to move on to the next case. I hope you have a good rest of the day.*

*Marley: thank you and God bless.*

Referred to the City Council due back on 7/14/2021

## 11:30 a.m. Hearings

### Orders To Vacate, Condemnations and Revocations

- 5 **RLH VO 21-28** Appeal of Zaw Wai to a Fire Inspection Correction Notice (which includes condemnation) at 933 FIFTH STREET EAST.

Sponsors: Prince

*Grant to November 1, 2021 for orders on garage siding (item 3) and grant to July 30, 2021 for balance of the orders (items 1, 2 and 4 through 27).*

*Zaw Wai, owner, appeared via phone  
Mon Mon, daughter, appeared via phone*

*[Moermond gives background of appeals process]*

*AJ Neis: this is a Fire C of O correction notice written by Inspector Huseby. Inspected June 15 and found multiple code violations. The most concerning was the condemnation of the basement where there was no second egress and people were sleeping in the basement. She did a 24-hour reinspection. As you can see from the violations, the garage is in poor condition. There is an illegal fire pit, holes in the concrete stairs, expired vehicles, gas powered lawn equipment in the basement which is extremely dangerous. Multiple concerns. They are appealing housekeeping issues that could easily be corrected.*

*Moermond: did Inspector Huseby have comments about number of people sleeping in the house? Any explanation as to why people were sleeping in the basement?*

*Neis: I don't see anything in the notes. If there were, there would have been overoccupancy orders as well. She did go back the next day to make sure no one was sleeping down there. There was no overoccupancy written so I don't believe it was an issue.*

*Moermond: so she went back the next day to confirm the basement had been emptied of people sleeping.*

*Neis: correct.*

*Moermond: and the gas-powered equipment as well?*

*Neis: yes.*

*MM: why are you appealing*

*Mon: I'm appealing for my dad. My dad doesn't have enough money to fix it. We don't allow anyone to live in the basement. That's our agreement. They don't allow anyone inside. They don't allow us to fix it. She said she was a hoarder. It is hard to evict them. They did a sublease. I don't know what they're doing.*

*Moermond: a couple of questions. It sounds like you have tenants who are not allowing*

*you access to your own property. Have you given them notice for access because of inspection or repairs?*

*Mon: I don't know, she is a hoarder. It is hard for us to go inside.*

*Moermond: I'm hearing it is hard, I'm not hearing you were denied access. There are steps you can take if you are denied access. Were you present with the inspector at the inspection on June 15?*

*Mon: my dad was. I wasn't there.*

*Moermond: so your dad was with and he was allowed access. What is it you're looking for today exactly?*

*Mon: the siding.*

*Moermond: so more time for the garage siding, number 3.*

*Wai: I only need time for the garage, maybe to next year. One thing is that I need to get inside the house, the lady is sleeping all the time.*

*Moermond: so you have to work out with your tenant and you have the right to access the property to do the repairs. You need to figure out how to do this. In particular there are concerns I have about the gas line needing to be repaired. That's a serious concern. I don't know how to move forward without taking care of that.*

*Mon: how many months?*

*Moermond: I look at the list and it depends on which item we are talking about. There are serious life safety issues that need to be done quickly. The ones the inspector checked on the following day were critical. Mr. Neis, was this a standard Fire C of O inspection or complaint based?*

*Neis: this was based on an actual Fire C of O.*

*Moermond: so just the normal course of business. From what I can tell your inspector wasn't allowed access to all parts of the property. Inside the garage there wasn't access, is that correct?*

*Neis: yes, there could be more violations than currently exist once she gets into all portions of the building, which includes the attic.*

*Moermond: do either of you Ms. Mon, Mr. Wai, know why your tenants were sleeping in the basement with the plastic walls?*

*Mon: I don't know. We don't allow anyone to stay down there. They could have subleased to someone. We don't know anything. They don't allow us to go inside so I don't know.*

*Moermond: I'm reviewing the orders to prioritize here.*

*Neis: we need to get into the attic and so forth. I am not as concerned about the stairs but I am deeply concerned about the extension cords. When you look how they are running with the plastic and combustibles downstairs. They are overloading circuits.*

*The same thing with multiplug adapters.*

*Moermond: the air conditioner? Electrical panels being blocked?*

*Neis: yes, and those things don't cost things to fix but are very important. The water heater is improperly plumbed and leaking. The gas line on the clothes dryer. Piles of personal items by electrical outlets. Again, we could end up finding more violations as things get pulled away. There is that possibility.*

*Moermond: so the only specific request I've heard is for the garage siding repair, to have to next year to do that.*

*Wai: yes.*

*Moermond: I'm seeing 3 photos of the siding, is that what you have?*

*Neis: yes.*

*Moermond: today is June 29. In the normal course of events you would be allowed 30 days approximately to do the repairs, except for the ones leading to the condemnation as unfit for human habitation. Mr. Neis, I assume she's satisfied those were rectified on reinspection?*

*Neis: that is correct.*

*Moermond: so were talking about a correction notice at this point then. You would have lifted the condemnation in a normal course of events?*

*Neis: the property itself, even if the basement wasn't being slept in, the house itself is borderline condemnable just based on the code violations.*

*Moermond: significant dilapidation. Let's give a deadline of July 30 to correct the code violations, except for the garage siding which we will push to November 1, 2021 to repair. We'll send a letter confirming this recommendation, with information on contesting.*

**Referred to the City Council due back on 7/14/2021**

**6 RLH VO 21-27**

Appeal of Stephon Hines to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 888 SIMS AVENUE.

**Sponsors:** Yang

*Deny the appeal; property cannot be reoccupied until condemnation as unfit for human habitation is lifted and the Fire C of O is reinstated.*

*Stephon Hines, tenant, appeared via phone*

*[Moermond gives background of appeals process]*

*Moermond: because this was unfit for human habitation I may need to put a temporary decision on the record until it can go to Council July 14.*

*Staff report by Supervisor AJ Neis: this was a revocation of the Fire c of O. The C of O was revoked due to multiple code violations which have been going on for quite a long*

time. December 2020 the owner at the time was asking for extensions because of renovations. As you can see the list is extensive with over 40 violations on the property. There were notes from Inspector Franquiz that the owner was requesting additional time because tenants were moving out. C of O was revoked since May of 2021, it may have gone through new ownership and was purchased. That's where we are sitting. It shouldn't be occupied.

Moermond: when did the inspection cycle begin with this? It looked like there was a couple and conditions had changed over time.

Neis: the first letter was sent December 1, 2020 to Chris and June Skarupa for an inspection December 21. Then there was time asked, a second letter, and then a third letter sent and February 24 an inspection finally happened. That's where we left it since. The C of O was revoked in May of 2021. Sounds like the person appealing is maybe a resident there and asking for more time to stay. The owners may have sold because it was easier than doing the repairs. There was a permit attempt six days ago that says to repair damage by fire department and that was abandoned.

Moermond: who is Dao Wang?

Neis: that was entered June 24. He must be the new Responsible Party.

Moermond: so some moving pieces here. Mr. Hines, what is going on?

Hines: I have text messages between who Chris sold the property to. Between me and them. Back in January they were supposed to come do some repairs and every time they came to the duplex the only thing they did was bring people there to try and sell it. Every time they would come over and they would just look at the property and they weren't doing work. I have texts between the real estate people and myself saying they were doing repairs. The last message I have between me and the real estate person was in May and he told me I can't have anyone out there today; I'm looking for someone. I don't know how out of everyone in Minnesota they couldn't find anyone to do the work. For me to get out they just didn't do repairs so that when the fire person came I had to get out in one day. All my stuff was there. Even when Chris sold it to the real estate people they said they were doing repairs but they didn't do anything.

Moermond: have you tried to bring this to the district court system or have you talked to legal aid? It does sounds like something in their wheelhouse. Right now all I can deal with are the conditions. The reasons for the conditions are repairs aren't done sounds. That sounds like something district court would engage. Have you had the conversation with anyone?

Hines: no.

Neis: the inspector's notes corroborate exactly what he's saying. The inspector's notes are almost verbatim what the inspector was told by the owners. December 20, owner called and requested a reschedule of inspection to renovate first floor apartment. Then January the owner reached out again and said the downstairs tenant was scheduled to move out the first of the month. She was under the impression everything was being fixed as well.

Hines: I'm not 100 percent sure of what was done upstairs. I know in January the guy who Chris sold the building to told me they were going to do the repairs. I have those texts. They never came and did anything. Next time that Fire comes they have to put

me out, is my understanding.

Moermond: to be clear, I understand you live on the first floor, unit 1. Is that correct?

Hines: yes.

Moermond: do you think you would income qualify for legal aid?

Hines: I'm not sure. Maybe.

Moermond: it would be close to minimum wage is what you'd have to making. It is pretty low. The other resource would be HomeLine. I'm in a position where I can only look at the physical house and can say the physical part of the situation says it is not livable. The underlying reason is the rub. Is it fixable? Yes. Are there other things going on? Yes. I would like you to get some resources to engage that and also have a professional on your side to advise you about what your rights as a tenant are. Whether you have a written lease or not, there are obligations a landlord has. I would want to make sure that you are getting the rights you should and their obligations are met. It feels to me like that is not happening. I would want you to have that advice. Call SMRLS. The other resource is HomeLine, their number is 612 578- 5767. We will get that to you right away since I imagine you are in housing crisis right now

Hines: yes I am.

Moermond: reach out to them now. Were you able to connect with House Calls to see if you could get any assistance from the County in terms of a temporary stay at hotel?

Hines: I spoke to her and she told me I didn't qualify.

Moermond oh shoot. Did she tell you it was income related?

Hines: she didn't say.

Moermond: that would be my best guess but I don't know. The last thing would be to reach out to the MN Attorney General at 651-296-3353. We'll put together a packet for you to show anyone you may find to assist you. Mr. Neis, any additional comments?

Neis: other than consulting legal aid I wouldn't be discouraged from calling SMRLS. Sometimes you can't provide documentation of residence, that may have been why Ramsey County couldn't help.

Moermond: I would call SMRLS and then HomeLine in that order. Unfortunately as long as the conditions can't be addressed by the responsible owner I can't allow you to live there. It hasn't been referred to the vacant building program yet, so I can't deny access. I can say you can't live there.

**Referred to the City Council due back on 7/14/2021**

**7**      [RLH VO 21-24](#)

Appeal of Shai Leibovich to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1569 MARGARET STREET.

Sponsors:      Prince

Layover to LH July 20, 2021 at 11:30 am. Property to be inspected on July 19, 2021.

*Carolyn Brown appeared via phone*

*Voicemail for Leibovich: 12:17 pm on June 29, 2021: calling about your hearings on Margaret, Reaney, and Conway. We'll try you again in a moment.*

*Voicemail for Brown at 12:19 p.m. on June 29, 2021: calling about Leibovich's appeal on Margaret, Reaney, and Conway. We'll try you back again in a moment.*

*Tried Leibovich at 12:22 p.m. June 29, 2021: no message left*

*Moermond: we tried to reach Carolyn a couple times, Mr. Leibovich a couple times to talk about the three properties. Since we did leave messages we'll handle the other 2 properties and return to these.*

*Moermond: we weren't able to reach Shai Leibovich.*

*Brown: Shai is out of town right now Marcia.*

*Moermond: we have these 3 matters here and we were doing follow up today.*

*Brown: mhmm.*

*Moermond: we can go through these. The first one up is 1569 Margaret. We were going to have an inspection, correct? This was laid over for two weeks to today to give a chance for an inspection to occur, during which Ms. Brown was to coordinate with the inspector to have the building inspected. Mr. Neis, can you give an update?*

*Staff update by Supervisor AJ Neis: she was a no-show.*

*Moermond: when was that appointment scheduled for?*

*Neis: 11:00 today. Mr. Thomas was there and no one showed up. Same song, different dance.*

*Moermond: the deadline for the work to be done, this was a revocation. The original reinspection was scheduled for July 2 but because we didn't have a complete inspection we were looking for an inspection to have a full punch list. So we don't have the full inspection yet for this property.*

*Neis: we would actually need someone to show up to allow access. We haven't been in the building at all.*

*Moermond: it looks like the Fire C of O responsible party is BPH2 LLC. Ms. Brown?*

*Brown: I did ask to reschedule because the tenant has dogs she needs to secure. I emailed Mr. Thomas to ask if we could do it after 4:00 p.m. He emailed back saying there are no inspections after 4:00. So I'm trying to coordinate with her, doing her surgeries, to be able to get in when the dogs are secure. She did send me a message and ask if we can come after July 16 because she will be home.*

*Neis: there have been 10, this would be the eleventh, notices for inspection since February. If we don't see a clear pattern here, it is pretty obvious. It is trying to avoid and buy time for inspections. It is inexcusable.*

*Moermond: that is a lot of no shows and problems Ms. Brown. What is going on?*

*Brown: the notices were going to a PO box in New York instead of a physical address, so I can't speak to that until I filed the appeal.*

*Moermond: the responsible party is listed as BPH2 and that's who was submitted. If that is who the owner says is the responsible party and where the mail should be sent, I don't know what the issue is.*

*Brown: I can't speak to that part; I can only speak to what I know from the last inspection to now. They can get in the week of July 16 to do the walkthrough. They're trying to move her out to sell. If we can get a date of July 16.*

*Moermond: and you committed to me you would get it done in these two weeks. Just for my sake, Mr. Leibovich is the appellant. What exactly is your role with the property?*

*Brown: when they are out of town I make sure someone is there for the inspection. If I can't be there I make sure the tenant opens to door for the inspection.*

*Moermond: are you an employee of BPH2 LLC?*

*Brown: all those entities are under RBK Management.*

*Moermond: RBK appears to be the previous owner and the current owner is BPH2 LLC.*

*Brown: they should all be under the same thing.*

*Moermond: they aren't. This is BPH2 LLC. RBK doesn't have ownership in any of the Shai Leibovich associated properties. I'm wondering how you are contractually connected to this and the other properties?*

*Brown: the advocacy piece of our organization is to make sure our tenants aren't getting displaced, but also working with the property owner to assure the units are brought up to code.*

*Moermond: ok. That doesn't quite answer the question. If you are showing up for the inspection and coordinating repairs it sounds like you are an employee of the owner.*

*Brown: it is kind of crazy. Yeah. I didn't look at it as that, but yeah.*

*Moermond: so you're not representing the tenant, you are representing the owner?*

*Brown: yes.*

*Moermond: and in this case the owner said to get ahold of the owner and responsible party is at that PO Box in Levittown, which is the associated property for all of these properties with Ramsey County. They appear to not be opening the mail that goes there in any kind of a timely fashion. They didn't respond to appointments for months. You're hearing where I'm coming from. I sympathize with Fire C of O on this one. Mid-July is seven months in.*

*Brown: yeah.*



*Moermond: you and I started this conversation 18 months ago when Renter's Warehouse was the property manager and they weren't showing up for the appointments. The reason was Renter's Warehouse had become kind of defunct and irresponsible and we said ok, that's going on with Renter's Warehouse, let's get the ship righted. We had half a dozen properties with no one showing up for inspections and they were sent to vacant buildings. There was this flurry of activity all because of Renter's Warehouse but now we have the same exact pattern going on and Renter's Warehouse isn't in the picture anymore. I am wondering if we can figure out a way to get ahead of this. You're asking for an inspection later in July in this case because your tenant can't secure the dogs. Is there any kind of guarantee that your tenant WILL be available to secure the dog?*

*Brown: yes.*

*Moermond: it was supposed to happen already.*

*Brown: she won't be working anymore after July 16. That's why she gave me that date.*

*Neis: Ms. Moermond, I'm sorry, but I have to assume this is just another stall tactic again because things are not getting done. This is just excuse after excuse after excuse, but it is all for the same reason: more time, more time, more time.*

*Moermond: but right now there is still an eviction moratorium which the City has determined does cover the revocation of the Fire C of O because it is considered administrative in nature. The City will not proceed with enforcing the vacate, but they could pursue a criminal citation which could be issued to the corporation and employees thereof. Am I correct in that?*

*Neis: that is correct and that is where I would recommend to the City Attorney take with Ms. Brown and Mr. Leibovich.*

*Moermond: let's schedule that appointment for July 16 and if you have access to Mr. Thomas's calendar?*

*Neis: I will let him know.*

*Moermond: let's schedule something for that day and if Mr. Thomas isn't available let's schedule someone else to get in there that day. We will have an inspection report at that point and the issue then becomes what the deadline is with that inspection report. We have an appeal of a Fire C of O revocation that doesn't have any items listed in it. We don't know what those repairs will be until we get that walkthrough. I'm going to schedule a follow up hearing in 3 weeks, July 20, at which point we should have that inspection write up and be able to figure out a reasonable deadline for those items.*

*Neis: you did say, I'm not an attorney, but this certificate has been revoked since April. My assumption would be they are not charging rent without a valid C of O.*

*Moermond: I don't know what information the residents have about their legal situation but it sounds like Community Stabilization Project is representing the landlord and not the tenants in this matter.*

**Laid Over to the Legislative Hearings due back on 7/20/2021**

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**Occupancy and Order to Vacate at 1017 REANEY AVENUE.**

**Sponsors:** Prince

*Layover to LH July 6, 2021 at 11:30 am for follow up. Property to be reinspected Friday, July 2, 2021 at 9:30 am.*

*Carolyn Brown appeared via phone*

*Moermond: we were looking for a follow up on 1017 Reaney as well because we didn't have any access to that property.*

*Staff report by Supervisor AJ Neis: there was supposed to be an inspection yesterday at 3:00 and I believe that was a no-show.*

*Moermond: so a blank list for this one as well, and we are looking for a to-do list on this one. Ms. Brown, what are you looking for on this?*

*Brown: Monday or Friday. We have access to the key to the house.*

*Moermond: and the inspection you just had was scheduled for June 24, Mr. Neis?*

*Neis: no, yesterday the 29th at 3:00.*

*Moermond: and now you are looking for an inspection to be scheduled for Friday July 2. Monday the 5th is a City Holiday because the 4th is Sunday this year. That is kind of tight for inspector's calendar.*

*Neis: I'll look and see if I'm available to do it. [checks calendar] I will make Friday work at 9:30 a.m.*

*Moermond: Friday July 2, 9:30 am an inspection for 1017 Reaney. We'll lay this matter over for 1 week to discuss reasonable deadlines for completion of whatever that list looks like.*

**Laid Over to the Legislative Hearings due back on 7/6/2021**

**9**      [RLH VBR 21-38](#)      **Appeal of Shai Leibovich to a Vacant Building Registration Notice at 980 CONWAY STREET.**

**Sponsors:** Prince

*Grant to September 1, 2021 for compliance with orders on the heating system, and to July 13, 2021 for the balance of the orders.*

*Carolyn Brown appeared via phone*

*Moermond: this last one was a request for an additional extension on Conway. That I pulled into the agenda, it wasn't scheduled for today because it is on the Council agenda tomorrow. I was kind of surprised to see the request because Mr. Leibovich said, "he would make sure everything got done on deadline." The recommendation was to July 13, what were you looking for Ms. Brown?*

*Brown: it is a pretty big project. He can pull permits and come up with a time frame to get the heating system in. They need the time to make sure heating system can get in. That's the biggest thing. Then the outside needs to get painted.*

*Moermond: so that work has to do with maintaining the heat in the upstairs unit?*

*Brown: there's only one heating system but they wanted it so each unit can control their heat. The contractor did go buy yesterday to figure out how to get this going.*

*Moermond: we'll give to September 1, 2021 for that item and the balance we will keep the July 13 deadline.*

*Brown: ok.*

**Referred to the City Council due back on 7/7/2021**

## 1:30 p.m. Hearings

### Fire Certificates of Occupancy

- 10 **RLH FCO 21-63** Appeal of Daniel Peterson to a Correction Notice-Complaint Inspection at 1075 AVON STREET NORTH.

**Sponsors:** Brendmoen

*Grant the appeal and release the property from the Fire C of O requirement.*

*No one appeared*

*Moermond: we are following up on Avon. The question was whether they get out of the program because it is owner occupied, the answer is yes. They do get out of the program as they have properly documented with the County they are the tax owners. The appeal is granted.*

**Referred to the City Council due back on 7/14/2021**

- 11 [RLH FCO 21-99](#) Appeal of Anna Decrans, Premier Housing Management, to a Reinspection Fire Certificate of Occupancy With Deficiencies at 765 EDGERTON STREET.

**Sponsors:** Brendmoen

*Layover to LH July 6, 2021 at 1:30 p.m. (PO unable to be reached).*

*No one appeared*

*Voicemail at x1596 2:05 p.m. on June 29, 2021: this is Marcia Moermond from St. Paul City Council calling about your appeal of fire orders at 765 Edgerton. We'll try back in a little bit.*

*Voicemail at x1596 on June 29, 2021: this is Marcia Moermond calling from St. Paul City Council about your appeal at 765 Edgerton. We have tried you twice without success. We'll continue this to next Tuesday to try you again. We'll send you an email confirming that.*

**Laid Over to the Legislative Hearings due back on 7/6/2021**

12 RLH FCO  
21-98

Appeal of Scott Swanson to a Correction Notice-Reinspection Complaint at 999 HUDSON ROAD.

Sponsors: Prince

*Grant to July 16, 2021 for compliance with orders to repair or replace the oven/stove and extermination. Inspector to follow up on hot water complaint. Grant to August 13, 2021 for balance of the orders.*

*Lisa Iglesias, tenant, appeared via phone  
Thomas Mueller, SMRLS, appeared via phone  
Scott Swanson, owner, appeared via phone*

*[Moermond gives background of the hearing process]*

*Staff report by Supervisor AJ Neis: this is a Fire C of O correction notice in regard to a complaint issued to Mr. Swanson on June 10 by Inspector Thomas. We received a complaint about several code violations. Inspector Thomas wrote the orders accordingly with a June 24 reinspection date. One of the things to mention is the C of O had already been recently inspected in April and approved. I can't tell you if, or if not, the code violations were corrected. They were checked off and the C of O issues were approved. I can't speak to whether it was tenant caused or some other issue.*

*Swanson: I went through 3 or 4 inspection on that unit by Inspector Thomas. Two of the times he added things to the list. I fixed them all. When we went back he passed me and it was fine. Someone needs to explain how all these things are deficient if the tenant didn't cause them. I never went back after they issued the C of O. He signed off on them. How is it fair I have to pay for the reinspection fees when clearly I didn't cause the damage? Or why did Mr. Thomas sign off on it? It is ludicrous. I don't get it. I have \$900 in inspection fees. I didn't argue. I fixed everything on the list. He came back 3 times and approved it. I haven't gone in since he passed me. It makes no sense. And the other thing is, you gave me 2 weeks to make the repairs. Do you know how backed up the construction industry is now? I don't mind fixing it, I told the tenant I would get to it this summer. No one is paying their rent so I don't have the money to fix it. I just dumped a bunch of money to get the C of O approved. Who caused the damage to cause the deficiencies? I would like to hold those people responsible.*

*Moermond: Mr. Neis,, any comments to guide Mr. Swanson?*

*Neis: I'm looking at the previous report here. C of O done in 2019. Just recertified again in February. Looking to see if there were any similar repairs called out. The C of O of this building was revoked because multiple letters were sent to Mr. Swanson for failure to allow access. We revoked it back in November of 2020.*

*Swanson: they were sending it to the original owner, not me.*

*Neis: even with that, they had multiple letters sent to Mr. Swanson as well. It is the owner's responsibility to notify our department about a change. Just to point that out.*

*Swanson: what does it have to do with anything?*

*Moermond: I asked him to add some comments to move the conversation forward.*

*Neis: orders were issued in unit 1 and 2 and those were all corrected. In regard to that, I can't tell you who caused the damage or why. It was checked off at the time and*

*these violations are currently outstanding.*

*Moermond: one thing I notice when I look at the orders, the first one the bathroom sink running continuously. That may just come up as a maintenance issue that could come up from time to time. It could be the result of damage or a washer needing replacement. Am I thinking about that right?*

*Neis: things happen. You could have a faucet installed new and it could start leaking the next day. Those things just simply happen. Taking two weeks to repair the faucet, I don't know who pays the water bill, but it is a reasonable time to comply.*

*Moermond: deteriorated wall coverings. I'm not sure what that means and why this would come up now. Is this wallpaper?*

*Neis: I can't speak to what it is. It just says the bathroom. A majority of the time its moisture causing chipped and peeling paint or wallpaper.*

*Moermond: the damaged or missing door. That does sound more like someone could trip and fall, wear and tear, or ignorance in operating it. The hardwired smoke detectors. How do inspectors check on that vs. battery? Would that have been picked up previously?*

*Neis: if you look at the pictures on file, it is missing all the tile on the tub surround. Regarding the smoke alarm, they usually will test them and if it works in good faith they'll move along with their inspection. It may be the next inspection they realize it is battery operated not hardwired and tell them to put batteries in.*

*Moermond: the oven. I have to say I rarely see stove, oven, or fridge orders. You don't normally check to see if those are operating correctly so I assume the tenant pointed that out. What's the procedure in that case?*

*Neis: that gives complainant information which we won't divulge. But yes a routine inspection won't check those things, so we only check if someone requests it in a complaint.*

*Moermond: and the extermination issue?*

*Neis: we do give people notice that we are coming ahead of time. If the evidence of infestation was cleaned up, they are only a snapshot in time. So if we have no evidence we won't call it. It was evident when he was there this time.*

*Moermond: this is a mixed-use building. Laundromat and apartments?*

*Neis: yes.*

*Moermond: let's talk more about specifics and where you are at. The bathroom sink running, and the water bill. I'm assuming you pay that since you have a laundromat there?*

*Swanson: I pay all the utilities. When we started the lease it was different. Halfway through the lease they put their utilities in their name and then take it off their rent. Technically I am paying it.*

*Moermond: I know if a toilet is running it can get extremely expensive quickly. I'm*

*thinking that would be in everyone's interest to be addressed sooner than later. The other kinds of things, in terms of a contractor, tell me about the time frame you could do these things in? I'm thinking this is mostly building contractor related, I'm not even sure you need more than a handyman for the sink. Documentation of extermination. You'd look for a professional, Mr. Neis?*

*Neis: something or a plan of extermination.*

*Moermond: with all of this coming out and knowing you don't want to accept you created these things, but you're not saying those don't exist. I'm hearing you say it is frustrating that they weren't called out earlier and if they weren't there you should not be responsible for the cost of their repair. I'm going to have to say I need to hold you accountable for the maintenance of the apartment. That is separate from how you and the tenant resolve the financial responsibility and private lease agreement for managing the cost of this type of thing. What are you thinking, you say two weeks is tight?*

*Swanson: I don't know. It depends on if I have to pull permits. It could take a long time. My tenants aren't paying me rent because of the deficiencies. I'm not getting rent out of these people due to something I didn't cause. It is just not right. I don't really want them in my apartment anymore. They aren't paying me. September 1 would be realistic. But there are other factors I'm not willing to let go and one is who caused the damages and who is paying for it.*

*Moermond: I'm going to turn it over to Mr. Mueller on behalf of the tenant.*

*Mueller: let me share a few things. One thing I want you to know, Ms. Moermond, is this is a new case to our office, and even more new to me. I just got it in the last week and connected with Ms. Iglesias yesterday. She shared pictures of the unit with me then. That being said I've also been trying to get copies of the C of O and when it was granted. I reached out to Inspector Thomas and he wrote me an email this morning saying "the reinspection scheduled for June 24 didn't take place due to the appeal. All orders are stayed due to the appeal. Yes, there were outstanding deficiencies that were left for the owner to do after the C of O was given. The oven and mice weren't on the list since it worked at the last inspection and I saw no evidence of mice. The sink also wasn't an issue at the last inspection." S based on the June 10 inspection it seems to me the bathroom repair with the water running continuously and mice and oven are new. However, the wall coverings, which I assume is the missing bathroom tile, and missing door and kitchen cabinets and replacing the floor and cover plates are all ongoing. I know Mr. Neis was talking about certain items having been checked off. I don't know what that means. According to Mr. Thomas this was all ongoing. Having spoken to Ms. Iglesias it is her position that all of these items had either been ongoing issues since they moved in or were items that have broken over time. It is our position that we'd like Mr. Swanson to repair them as quickly as possible. I also have been the recipient of texts between Mr. Swanson and Ms. Iglesias where he states it is a money issue. If that's the case I guess my thought would be apply for a grant of some sort to cover the costs. I understand there is extenuating circumstances for Mr. Swanson. That's our general position, we'd like it done as soon as possible.*

*Iglesias: as far as damaging anything. I showed my attorney proof of how it looked as of November 2020 when we moved in. The only thing that's improved until now is the paint on the walls. Nothing else was done as he said he would do by the first of January. As far as any of the things that have happened. I've texted him since April about the stove not working. I have proof of the text messages. We haven't had a*

working stove since April. He came out the week before and shut the hot water in the bathroom to fix that repair. Nothing else has been done since day 1 except he did the 5 windows on the back porch. I only never paid rent for June and that is because I have surgery and I've been asking Scott for 2 months to bring things over so we could work on things because I am having a major operation. I need a bathtub I could actually use. You can almost stick your foot through the floor in front of the toilet. It isn't something we did; it has been like that since we moved in. I've only been pushing because of my health. I can't believe he would try and blame us for the repairs when all I was asking for were things to be fixed when I came back from the hospital. I wasn't trying to make him look like a bad person. Everything was fine until June when I didn't pay rent. We haven't been able to cook for four months.

Moermond: is there hot water in the bathroom now?

Iglesias: no hot water right now. It can be on for 10 minutes and nothing comes out hot. Since he came out that Friday there hasn't been.

Moermond: Mr. Mueller, have you talked to your client about the proper way to escrow rent if that is what the course of action is?

Mueller: yes.

Moermond: has that been pursued? That's separate from this discussion but it shouldn't be handled that way.

Mueller: yes, we have started that conversation. We haven't made a decision on whether that will be filed. But we are discussing it yes.

Moermond: confirming there is no hot water in the unit, or just the bathroom?

Iglesias: when you turn the hot water on anywhere there isn't anything coming out. It is all cold. I've let it run for a few minutes. It is just cold. That wasn't a problem even when it was dripping in the bathroom. We always had hot water. Since it was turned off two Fridays ago we've had none. He brought someone with him that Friday so we thought it was getting fixed.

Moermond: Mr. Neis, I have an idea of how I would prioritize these items and a timeline, do you want to let me know and having an inspector look into the hot water situation?

Neis: my biggest concern, in addition to the hot water, have you seen the photographs?

Moermond: yes.

Neis: I would find it hard to take a bath or a shower with the tiles being the way they are. As I can see it is much greater than the "wall coverings". We have an entire wall missing.

Swanson: who removed the tile?

Iglesias: we removed the tile to show Chevelle how to do it.

Swanson: you're saying I removed the tile?

*Iglesias: he took 2 off and he said he couldn't do it.*

*Swanson: no, who removed the tile?*

*Moermond: for my purposes this isn't where I'm at. This is a discussion is about payment ultimately and your private contract. Not my business. I'm focusing on the bare minimum facility for bathing. A bathtub does suffice you don't need a shower. You do need hot water. Mr. Neis is no doubt going to have an inspector confirm the hot water situation and if it's a valid complaint we'll put a deadline on that sooner rather than later. The other most pressing items were the oven and extermination issues.*

*Neis: the reason why I bring up the tile isn't about taking a shower. If you zoom in on the ceramic tile there it is really jagged and it is razor sharp when cracked. My concern is someone trying to get up from bathing would cut themselves.*

*Moermond: I can see that. It feels like a very tight timeline on the hot water and cooking and extermination and a less tight timeline, not that it isn't important, but not quite as pressing. Honestly, even putting duct tape on the edges would abate that concern and remove that sharpness.*

*Neis: with the moisture—*

*Moermond: it is not a great solution. But a short period of time until the proper repair can be executed.*

*Iglesias: there are chunks of cement out of the living room floor. That is all coming up and is cracked.*

*Moermond: that is in the orders. I'm trying to prioritize critical life safety issues versus those repairs that can have a longer timeline. Mr. Neis, the smoke detector situation, if there are battery operated ones there for the time being?*

*Neis: that is sufficient.*

*Moermond: would you want to send an inspector out to confirm the water situation and amend the orders and let me know if they are amended?*

*Neis: yes.*

*Iglesias: I was concerned about the floor too because we got cut. Hopefully that will get done too right away if you are prioritizing.*

*Moermond: I'm focusing on things like food and water.*

*Swanson: there's a carpet over the floor. I don't even know where to start. Why would Mr. Thomas sign off on a C of O if it was ongoing? It makes no sense. Why did I pay \$900 in fees if it didn't mean anything, Mr. Neis? Isn't that huge liability for the City.*

*Iglesias: yeah because you got away with it.*

*Swanson: Mr. Thomas was there 3 different times.*

*Iglesias: and none of the repairs got done!*



Moermond: Ms. Iglesias, I will let you know when it is your turn to speak

Swanson: it is asinine. Turn the hot water knob under the sink back on. You don't need an inspector to look at it.

[unintelligible arguing]

Mueller: Ms. Iglesias's argument is supported by DSI's pictures that this has been ongoing since they entered in November. We would like all of them done as quickly as possible in the shortest reasonable timeline.

Moermond: this goes to Council July 14. I will recommend to them that item 5, the oven/stove is repaired or replaced by July 16, also July 16 for the extermination. If the hot water is not operable that needs to be restored on the same timeline. The other repairs should be done by August 13th. That give a good six weeks. I understand there is a dispute. We did walk through the items and how they may have come up, or not, previously. I understand people's concerns but I'm only dealing with the conditions in front of us at this moment. Ultimately the payment of those repairs is between you folks. If there is a concern about the inspector and not catching things, Mr. Neis can definitely field that. I will say again that is a snapshot in time. We can include that information in the follow-up letter.

**Referred to the City Council due back on 7/14/2021**

**13 RLH FCO  
21-97**

Appeal of Yer Yang to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 802 SIMS AVENUE.

Sponsors: Yang

Grant to August 1, 2021 for compliance.

Yer Yang, occupant, appeared via phone

Moermond: I understand you haven't paid the appeal fee yet?

Yang: I mailed in a check but not sure where it went. I mailed it the same day I sent the appeal.

Moermond: looks like that was June 17. The City hasn't received that yet. That's kind of a long time. You may want to see if that check cleared or not. I'll let staff follow up with you on that.

[Moermond gives background of the appeals process]

Staff report by Supervisor Neis: this is a Fire C of O correction notice issued by inspector Franquiz. Reinspection to be July 1 to verify the items have been completed. There are 20 plus violations. Looks like they are appealing for more time

Moermond: what is going on Ms. Yang?

Yang: from what I know, I knew of the first inspection however the owner never came and made any repairs before the first one. I expected stuff to not pass. As I'm speaking with the owner and hoping he will fix it. As we're getting closer I don't think it

*will be done by then.*

*Moermond: so you don't think the owner will get it done. Mr. Neis, you've been out there to inspect. This is a reinspection; how many times have you been there?*

*Neis: Inspector Franquiz has been out there--*

*Moermond: he has a reinspection letter dated June 2 but there was an appeal filed, not sure why.*

*Neis: looks like he did a recheck the next day. I also noticed he has notes that say the owner has reached out requesting an extension to August 1 and they want to give tenants time to look for a new place. He rescheduled the reinspection but noted the tenant has an appeal. The owner asked for an August 1 extension which he agreed to do. We're not over the 90 days so that's within our normal time guidelines.*

*Yang: so I should have never appealed?*

*Moermond: you can always appeal. You have a right and an interest in the property. What I just learned was the owner talked to the inspector and did get an extension to August 1 to get the work done and that the owner communicated that you were looking for someplace else to live.*

*Yang: technically, the owner wanted us to move in May. We couldn't find a place. That's how it all started, with him not coming to fix it after I asked him. If it is to August 1 that's fine.*

*Moermond: we'll go with that then and formalize that here. Sounds like we have it covered then.*

*Yang: what about the payment?*

*Moermond: we'll have staff send you an email.*

**Referred to the City Council due back on 7/14/2021**

## **2:30 p.m. Hearings**

### **Vacant Building Registrations (NONE)**