



Meeting Minutes - Action Only

Legislative Hearings

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

Tuesday, October 5, 2021

9:00 AM

Remotely

Special Tax Assessments

9:00 a.m. Hearings

- 1 **RLH TA 21-407** Ratifying the Appealed Special Tax Assessment for property at 101 COMO AVENUE. (File No. VB2202, Assessment No. 228801)
- Sponsors: Thao
- Recommendation is forthcoming, pending bldg permit is finalized.*
- Referred to the City Council due back on 1/19/2022**
- 2 **RLH TA 21-418** Ratifying the Appealed Special Tax Assessment for property at 1525 DIETER STREET. (File No. VB2202, Assessment No. 228801)
- Sponsors: Yang
- Reduce from \$2284 to \$750.*
- Referred to the City Council due back on 1/19/2022**
- 3 **RLH TA 21-409** Ratifying the Appealed Special Tax Assessment for property at 329 LAWSON AVENUE WEST. (File No. VB2202, Assessment No. 228801)
- Sponsors: Brendmoen
- Reduce from \$2284 to \$2127 and spread over 5 years.*
- MM – Good Morning is this Mr. Kenneth Burnett, this is MM with Saint Paul City Council. I'm calling about your 2 assessments at 329 Lawson we have a vacant building fee and a boarding fee. Also, on the line with us we have Joe Yanerrilli who is a supervisor in the vacant building unit at DSI... My Job is to hear your appeal on behalf of the city council if you are okay w we can go forward with that recommendation, if not you are okay with it you can submit additional testimony to them, and they can look at it differently than I do. I will turn it over to Mr. JY for a staff report.*
- JY (Staff Report)- This is a category 1 for VB file that was opened due to a report by the Saint Paul Fire Dept on Feb 9th. They did an automatic 90-day exemption to*

handle with insurance and after that it became a registered VB, with an annual service fee of \$2127 with a service charge of \$157 with a total proposed annual assessment of \$2284.

KB – Where does the \$150 come from for assessment what do you mean by that?

JY - That is the administrative service fee for this process paying the technician

MM - Payments can be made over 5 yrs. if you went with the assessment route other than paying it right out. Often, when people have a fire its difficult to pay for the rehab that's going on and working with the insurance company. Since you were not clearly told of the administrative service charge, which you should have been I will delete that. Would it be useful to have the payments made over 5 yrs. with the interest rate of approx.3%?

KB – I want to know how much is the 3%?

MM - That is a standard rate that is based on the cities bond rate you will not find a lower rate in the market and it is the cost of the money for the city, and it covers inflation. There is no additional fee for each year, the fee is a one-time thing. I will decrease your assessment by 157 because it wasn't made clear. Would it be useful for you to have this divided over any period of time or would you prefer to pay the bill all at once.

KB – I figure if I do the 5yr it would be easier on me.

JY - Your fee would be around \$60 the first year, then it would go down each year based on the lower principle.

MM – The assessment office at the city can give you more precise information. I will get that number for you right now. What I will recommend to the city council for your assessment which is \$2284, is that it be decrease by \$157 bringing your total to \$2127 made payable over a period of 5 yrs. Here is the number to the assessment office 651-266-8858, so you can get an idea of precise payments. They can handle any questions on how that will be processed.

Referred to the City Council due back on 1/19/2022

4 [RLH TA 21-291](#)

Ratifying the Appealed Special Tax Assessment for property at 329 LAWSON AVENUE WEST. (File No. J2109B, Assessment No. 218109) (To be referred back to October 5, 2021 Legislative Hearing and Public Hearing on October 13, 2021)

Sponsors: Brendmoen

Approve the assessment.

Marcia Moermond, Legislative Hearing Officer
Kenneth Burnett, Owner, appeared via phone
Staff: Joe Yannarely, Vacant Building Supervisor

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: This boarding assessment was a result of

the fire as well and the contractor left out the emergency boarding fee. This is in Mr. Burnett's favor. The cost of the service is \$126, the administrative is \$162 with a total proposed assessment of \$288.

Burnett: They did not do their job. When you board a house, you do not do it with nails. I've been robbed of two tv's, a movie camera, some old change, and my drill downstairs. I took a loss because it was not done with screws cause all they did was take a sledgehammer and the nails pop right out of the wood. Why would I have to pay this when I had to pay another \$500 to get it boarded the right way and it was taken out of my insurance?

Moermond: Mr. Yannarely I know that they use screws, I am curious to the hardware situation there?

Yannarely: Typically, they use a specific screw with a special head on it, so I am not aware of the nail situation.

Burnett: They didn't use screws. That's how they were able to knock it out. they did the top window, and they did the bottom window and that's how they were able to break in twice.

Moermond: How is them breaking in rather through the door or the window the City' fault?

Burnett: If you put screws in there, this wouldn't have happened. So, I had to have someone come out. I had to pay almost 500 bucks to put screws all around there and to put studs across the window and screw the studs into the frame. If screws are in there, you'd end up breaking the plywood before getting in there. I'm not sure what the guy did.

Moermond: It is part of their contract to use the special screws, when was the break-in? Was it right away?

Burnett: I turned around the next day because I left a lot of cash in a can, so I went over to start collecting stuff on the 10th then when I went on the 11th that's when it was broken the first time. Then I went down to the basement for my movie camera, a bag of Indian or wheat head pennies and my boat keys, then I turn around and they broke it down from the inside cause the guy upstairs who's a meth addict had a key and went in through his place cause it's like three feet apart. So how can you knock screws out when you have 2 feet to reach out?

Moermond: I've seen it happen and I've seen it worse. If you own the property and observed the property, I can get the police reports on this but finding fault with the city for a future break in stating if it had been done differently it wouldn't have happened, I don't know that, that is the case. People tend to break in after fires. One thing I notice about the assessment too is the Fire Department called for an emergency building in the middle of the night and usually there would also be a \$250 fee.

Yannarely: That is a typical and is an error that would work in Mr. Burnett's favor. As far as screws securing the building. I spend a lot of time re securing buildings that have been screwed in.

Moermond: I'm sorry that you experienced the break in. What I am looking at is the cost that the city had to pay to have the contractor come out in the middle of the night

and I'm happy to check on the type of hardware that was used to secure. Mr. Yannarely has to inspect these boards and he does see them broken into frequently. When people realize there was a fire, they tend to think that the house can be victimized. That's why the city doesn't leave the scene without making sure it is secure. I am going to recommend an approval for this assessment, unless I hear something unusual about the hardware that was used. I get that you disagree, I am going to do two things, one is if you want to submit additional testimony absolutely do that. The Public Hearing is next Wednesday, so you need to do that before then. Also, I am going to order the police report from any break-in's that has happened so that can be attached to the record as well.

Moermond: Yeah, I don't know if I had the police come out the second time because I talked to my agent and already, I have a \$1000 deductible and would have ended up paying for what was lost so I didn't call the police after talking with my agent. My request is to tell the guy who does this to put a stud across the window and screw it into the wood that goes up and down and to do a better job. I did that and there was no way they could get in that way. The second one I am thinking even with two I am pretty sure your rate is 100 percent denial. I don't have confidence in this.

Moermond: If people object to my recommendation, I'd say there are a 30-50 percent, that there's change to my recommendation. If people submit testimony, it's brought to the attention of the council and they could definitely make changes to it, but nothing is changed if you don't submit anything.

Yannarely: When there is a fire and they do securing, it is considered to be temporary in nature. When we have a vacant building that are being broken into quite often, the contractor may get more creative in bracing it. The typical fire, people aren't looking for the house to be turned into a fortress. They are looking for a temp measure while working with the insurance agency for rehab.

Referred to the City Council due back on 10/13/2021

- 5 RLH TA 21-388** Ratifying the Appealed Special Tax Assessment for property at 779 RAYMOND AVENUE. (File No. VB2201, Assessment No. 228800)

Sponsors: Jalali

Approve and spread over 5 years.

Referred to the City Council due back on 1/5/2022

- 6 RLH TA 21-387** Ratifying the Appealed Special Tax Assessment for property at 1234 RICE STREET. (File No. VB2201, Assessment No. 228800)

Sponsors: Brendmoen

Reduce from \$2284 to \$951.67 and spread payments over 3 years.

Referred to the City Council due back on 1/5/2022

- 7 RLH TA 21-391** Ratifying the Appealed Special Tax Assessment for property at 1352 SUMMIT AVENUE. (File No. VB2201, Assessment No. 228800)

Sponsors: Tolbert

Approve the assessment. (Staff will confirm with owner to see if he wants to spread

over number of years)

Referred to the City Council due back on 1/5/2022

10:00 a.m. Hearings

- 8** [SR 21-161](#) Review Request of Steven Little, on behalf of Maureen Honish, to a Ratifying the Appealed Special Tax Assessment for property at 284 ALBERT STREET SOUTH adopted by Council September 15, 2021. (File No. VB2111, Assessment No. 218817)
- Sponsors:** Tolbert
- Recommendation is forthcoming. Staff needs to confirm with inspector on permit(s). If amended, will do new resolution to go before Council.*
- Received and Filed**
- 9** **RLH TA 21-402** Ratifying the Appealed Special Tax Assessment for property at 276 COTTAGE AVENUE WEST. (File No. J2201E, Assessment No. 228300)
- Sponsors:** Brendmoen
- Public Hearing continued to July 20, 2022 and if no same or similar violation(s), will delete the assessment.*
- Referred to the City Council due back on 1/5/2022**
- 10** [RLH TA 21-394](#) Ratifying the Appealed Special Tax Assessment for property at 375 HAWTHORNE AVENUE EAST. (File No. CRT2111A, Assessment No. 218212)
- Sponsors:** Brendmoen
- Approve the assessment.*
- Enrique Robinson, Owner appeared via phone*
- [Moermond gives background of appeals process]*
- Staff report by Fire Inspector Leanna Shaff: For 375 Hawthorne Ave E the cost is \$206, the service charge is \$157 making the total assessment \$363. Notification from an email from Mai Vang it's a fire certificate of occupancy of a single-family home.*
- Date of Orders: Condemnation orders 1-19-21 and 3-10-21*
Compliance Date: 3-30-21
Billing Dates: 4-6-21 and 5-6-21
Returned Mail?: No
Comments: First letter sent to Bruce Hoffman Bmk Managers LLC 1845 Stinson Blvd Mpls, MN 55418-4824. Second letter and billing sent to Sent to Heather Cothem Maximize Property Management 1845 Stinson Blvd. Suite 212 Mpls, MN 55418.
History of Orders on Property: This FC of O is a result of a Form 4 no heat referral on 1-19-2021
- Moermond: Okay form 4 for clarification in case Mr. Robinson isn't familiar with that*

can you explain what that is.

Shaff: It's a notification from the fire department letting us know that there is an issue or problem at the property.

Moermond: In this case the issue was there was no heat at the property..

Shaff: Correct

Moermond: Okay we'll turn it over to Mr. Robinson

Robinson: Yes I didn't I didn't acquire the house until 5/30/2021 so that was before I bought the house I just paid the new certificate and everything that was due for Nov or Oct prior to May 28th and 30th I I didn't own the house.

Moermond: Sounds like you have an issue with the previous owner who had an outstanding bill and on closing they had to disclose everything for your review bills and outstanding assessments on the property, it's their bill to pay but you would have to reach out to them to tell them that. Were you represented by a realtor?

Robinson: No

Shaff: Excuse me Ms. Morman, I still show Maximize property management as the property manager and Mr. Robinson at 839 Charles?

Robinson: Yeah, I have my own company Robinson Properties LLC

Shaff: So you have not updated that with the city?

Robinson: No

Moermond: So we are going to email you a form and you need to fill it out and get it back to the fire Certificate of Occupancy Program and that form will tell them that you are the new owner that they will need to reach out to when they need to do inspections, that's what they will look for – do you have contact info for previous owner?

Robinson: Yes, I can give you that if you want it

Moermond: No you need to have it because you will have to reach out to have them pay you for the cost of this assessment, they really left you stuck with the bill. I have to look if this is a bill for this particular property or if this is a bill that all the taxpayers in the city will be responsible for, legally I have to land on this bill is the responsibility of the property owner and the fact that the previous property owner didn't disclose to you that this wasn't paid is a private matter between the buyer and the seller not involving the city so you will have to reach out to them and say not only do you owe me the \$206 for the bill but you owe me an additional \$157 cause it got processed as an assessment and send them a demand letter. We can send you the paperwork associated with this to help you talk to them, we are happy to email that to you as well.

Robinson: Yeah if you can so I can send that over to them cause like I said I don't really talk to them like that.

Moermond: Right now what I am going to do is we will send you an email this week or early next week with the bills, and the registration form for the property so you get them

all together. You will need to fill out one and take the other two to the previous owner.

Robinson: Sounds Good

Referred to the City Council due back on 10/13/2021

- 11** [RLH TA 21-158](#) Ratifying the Appealed Special Tax Assessment for property at 936 JEFFERSON AVENUE. (File No. J2106E, Assessment No. 218305) (Refer to Legislative Hearing October 5, 2021)

Sponsors: Noecker

Staff will check on Oct 26 to see if permit related to the sump pump drainage is finalized.

Laid Over to the Legislative Hearings due back on 11/2/2021 (Public hearing Jan 5, 2022)

- 12** **RLH TA 21-397** Ratifying the Appealed Special Tax Assessment for property at 2100 MARSHALL AVENUE. (File No. CRT2202, Assessment No. 228201)

Sponsors: Jalali

Reduce from \$399 to \$242.

Referred to the City Council due back on 1/19/2022

- 13** **RLH TA 21-412** Ratifying the Appealed Special Tax Assessment for property at 1133 UNIVERSITY AVENUE WEST. (File No. J2202P, Assessment No. 228401)

Sponsors: Jalali

Delete the assessment as Graffiti Abatement Order was sent to this address at 1133 University Ave W. graffiti on retaining wall belongs to 1105 University Avenue West.

Referred to the City Council due back on 1/19/2022

Special Tax Assessments-ROLLS

- 14** **RLH AR 21-94** Ratifying the assessments for Collection of Vacant Building Registration fees billed during November 19, 2020 to May 20, 2021. (File No. VB2202, Assessment No. 228801)

Sponsors: Brendmoen

Referred to the City Council due back on 1/19/2022

- 15** **RLH AR 21-95** Ratifying the assessments for Securing and/or Emergency Boarding fees during June 2021. (File No. J2202B, Assessment No. 228101)

Sponsors: Brendmoen

Referred to the City Council due back on 1/19/2022

- 16** **RLH AR 21-96** Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during May 21 to June 18, 2021. (File No. CRT2202, Assessment No. 228201)

Sponsors: Brendmoen

Referred to the City Council due back on 1/19/2022

- 17 RLH AR 21-97** Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during April 23 to May 21, 2021. (File No. J2202E, Assessment No. 228301)

Sponsors: Brendmoen

Referred to the Charter Commission due back on 1/19/2022

- 18 RLH AR 21-98** Ratifying the assessments for Graffiti Removal services during June 16 to July 27, 2021. (File No. J2102P, Assessment No. 228401)

Sponsors: Brendmoen

Referred to the City Council due back on 1/19/2022

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

- 19 [RLH SAO 21-66](#)** Making finding on the appealed nuisance abatement ordered for 913 JOHNSON PARKWAY in Council File RLH SAO 21-63.

Sponsors: Prince

Nuisance is not abated.

Legislative Hearing Notes:

Staff: Marcia Moermond, Lisa Martin, Richard Kedrowski

Appellant: Joseph Dalbec

Property owner Joseph Dalbec joined the call.

Marcia Moermond: Good morning, MM at CC, calling about extension you got to take care of the garage, my job is to review this case and make a recommendation/finding on whether you completed the work on deadline, if you want a different recommendation you can ask that of CC. First, hear from staff, then talk with you. Introduced staff on line: Lisa Martin, Richard Kedrowski

Lisa Martin: another SA order issued Aug 2nd to JD at property to remove and dispose of deteriorated shed, contents of rear yard, scrap and debris from yard. Gave extension. Only a vehicle has been removed, Everything else not in compliance.

Moermond: see in photos nothing else changed

Joseph Dalbec: when I try to do stuff, my son tells me to get in the house, I'm an old man and he comes and hits me in the head when I go to pick stuff up.

Moermond: worried about you and your son, you have said he has been verbally

abusive, and you didn't want to do anything, now saying physically abusive, yes?

Dalbec: yes

Moermond: I need to report that...

Dalbec: yes

Moermond: one of the things that is happening now is that the work hasn't been done so the City is going to have to come take care of it. I'm not sure what else to do because you're not able to do it and your son is not able to do it either.

Dalbec: my son can't be there when you come, he is threatening. He's got a court date next Wed in Anoka.

Moermond: we talked last time about verbal abuse with your partner Marles Olson, is he physically abusive to her too?

Dalbec: yes, he yells at her, has not hit her, he has hit me

Moermond: I need to file a report and disclose this to the proper officials that you have told me this information, they are going to be following up with you about what's going on. The immediate thing I'm talking with you today about is your yard and the things in your yard.

Dalbec: he says he's going to clean it up but then he doesn't, he brings stuff home all the time. Sometimes he stays up for days.

Moermond: when he does sleep, where does he sleep

Dalbec: usually in his room

Moermond: he's still in the house with you

Dalbec: yeah, yeah

Moermond: what I need to do in terms of the mess in the garage is I need to tell the CC that the work was not done on deadline. That means the city is going to take action to make sure that is cleaned up. Given what you are saying, let me have City staff explain what they will do in this situation.

Martin: a parks crew with police will come out, we will remove the dilapidated shed and contents, and it will be disposed of. Unfortunately, the bill will be going to you for this, and you can appeal to Council.

Dalbec: tell them to put it on the taxes

Moermond: I'm going to make a report and will have you potentially as a vulnerable adult. I will tell the City hey the work hasn't been done. Is this the right number to call for you for us or a social worker?

Dalbec: yes, a social worker, that will help a lot. This is the same number for both of us.

Moermond: so, Mr. Johnson, I'm going to reach out. Use this information in the way you feel safe doing so.

Dalbec: he says, "I'll turn off your face", but we can't do anything.

Moermond: how are you situated for food and money, do you have what you need?

Dalbec: yeah, uh huh

Moermond: he doesn't take money from you then?

Dalbec: no, no

Moermond: we'll get someone in contact with you

Dalbec: yeah, we need some time to do something

Moermond: as soon as the CC votes on October 13th, they will take action, we'll send you a letter on that

Dalbec: too bad we can't have more time...

Moermond: I don't know if more time will make a difference, it sounds like your son will keep preventing you from cleaning this up. You should have someone calling you sooner rather than later. Talk with you soon, bye.

Dalbec: bye.

Referred to the City Council due back on 10/13/2021

**20 RLH SAO
21-70**

Appeal of Ross Kigner to a Summary Abatement Order at 1143 CHURCHILL STREET.

Sponsors: Brendmoen

Deny appeal and grant extension to October 28, 2021 for compliance.

Legislative Hearing Notes:

Staff: Marcia Moermond, Lisa Martin, Richard Kedrowski

Appellant: Ross Kigner

Property Owner Ross Kigner joined the call.

Marcia Moermond: this is MM from CC, pronounce last name? (Kigg-ner), calling about abatement order. My job is to review this case and make a recommendation/finding on whether you completed the work on deadline, if you want a different recommendation you can ask that of CC. First, hear from staff, then talk with you. Introduced staff on line: Lisa Martin, Richard Kedrowski

Lisa Martin: Abatement Order was issued, cut and remove all vegetation covering any of row/sidewalk, in front and side, needed to expose entire sidewalk, compliance date Sept 21, photos in system, owners have made progress, one area that really needs to be cut back still, they will continue to grow.

Moermond: saying there is partial compliance now, looking for more cutback in one area?

Martin: correct

Kigner: Richard's voicemail said the trimming was not acceptable, said they need to be removed, we paid for easements to move parking and add grass, the placement took into account these bushes, for privacy and joy reasons, home to folks of various disabilities, they sit in their rockers and watch the birds, I don't get why we can't keep working together to address these, team work not dictatorial removal.

Moermond: let's go back to staff and get more info, at DSI, are you looking for complete removal or trimming back?

Richard Kedrowski: want me to address that? My last voicemail said we appreciate the cutting back, but more trimming needs to take place with the upper portion meeting the lower portion and not overhanging any of the sidewalk.

Moermond: sounds like they want equal removal of overhang and not complete removal, can you accomplish that?

Kigner: absolutely, that would be great

Moermond: marvelous, would 2 weeks be enough?

Kigner: yes, just want to make sure we're talking about the same segment? The part that is so high that no one could hit their head on it unless they were extremely tall?

Kedrowski: the code is saying the bush can be no taller than 7 feet, asking for the cutback to be in a straight angle, needing it to be completely clear, including the pine tree in the back with overhanging branches.

Moermond: would it be useful to once again look at the site?

Kigner: no, I understand, I just don't see how something so tall can impede...

Moermond: oh I can, when the snow falls it weighs down branches

Kigner: it's a shrub not a tree, the branches don't come down

Moermond: ok, we'll have this before CC on Oct 26th where I'll ask for an extension to Oct 28th, which should be well past the time you have it done. Ok?

Kigner: terrific

Moermond: I wish you all a good day

Correction was made correcting date to October 27th, 2021

Referred to the City Council due back on 10/27/2021

1:00 p.m. Hearings

Vacant Building Registrations

- 21 [RLH VBR 21-62](#) Appeal of Carolyn Brown, Community Stabilization Project, and Shai Leibovich to a Vacant Building Registration Notice at 936 DUCHESS STREET.

Sponsors: Yang

Recommendation is forthcoming, pending inspection follow-up on October 13 @ 2 pm.

Staff Present: Marcia Moermond (MM), Leanna Shaff (LS), Matt Dornfield (MD)

Appellants: Carolyn Brown (prop rep), Michelle Wright (tenant), Shai Leibovich (owner rep)

Carolyn Brown joined the call.

Moermond: Hello Carolyn. Are we calling Shai Leibovich for this hearing?

Brown: Yes, we are adding him.

Moermond: We're adding Michele Wright. Hello is this Michele Wright?

*Michele Wright: *disconnected**

Moermond: We'll call again, hi is this Michele Wright? This is Marcia Moermond from St Paul City Council.

Wright: It is.

Moermond: [named people present, gave statement on MM job to create recommendation for CC, option to not agree and submit more info for CC to consider, report from staff to start, then on to appellant]

Leanna Shaff: this is a revocation of Fire C of O and order to vacate. As stated in last hearing this has been going on for quite some time since March of this year, numerous inspections, last was in Aug to hear about revocation and order to vacate, given to Sept 14th to complete list and come into compliance, inspector went to property on Sept 14th but was not granted access to the property, no one was there, he could see that most of the repairs had not been made, referred to vacant building program

Moermond: turning over to Shai Leibovich first...

*Leibovich: *silent**

Matt Dornfield: opened a cat 2 vacant building on 9/23/2021 due to a revoked Fire CofO

Leibovich: Carolyn, did you send all the photos? The work is done. I can say that first of all, we have had issues but we are coming through, the work is done, they submitted all the photos of all the work that needed to be done. How come this building is going right to Cat 2? A bit drastic.

Moermond: a couple of things here, if your certificate was revoked and you have several issues it is automatically a Cat 2. I am hearing you completed the work but did not show up on Sept 14 so I'm assuming the work was not done at the time of the scheduled inspection. You are saying the work was done and you have submitted photos. Ms Wright? Anything to add?

Wright: the work is done, the items on the list are completed

Moermond: will you show up for an inspection for this? I know you know this.

Leibovich: they can come whenever he wants.

Moermond: and you'll show up? You have to make an appointment and be there.

Leibovich: I was in touch with him last Wed, was there to make sure, we got a list, had the contractor explain all the work, he don't care if I'm there with him.

Moermond: ok but you weren't done by the 14th, it is your responsibility to reschedule an appointment with him. I'm kind of over this.

Wright: I agree, I'm over this too, at the end of the day me and my family need a place to live.

Shaff: he's looking pretty tight this week, it's looking like the only time he has available is Wed Oct 13th at 2p.

Leibovich: perfect, we'll take it.

Wright: confirming date

Moermond: and Leanna will communicate this with your staff?

Shaff: absolutely

Moermond: I'll bring this before CC next week, Oct 13th, if this is 100 % completed

Leibovich: one of the bedrooms we did not do, they asked for windows, but it's not being used as a bedroom, it's going to be a storage room.

Moermond: that sounds like that is another way to comply with the order so I will accept that. I need confirmation from staff on the 19th so that we can bring the most current information to CC. Thank you folks, and we will be talking with everyone again.

Referred to the City Council due back on 10/20/2021

**22 RLH VBR
21-66**

Appeal of Matt Hursh to a Vacant Building Registration Notice at 1162 EARL STREET.

Sponsors: Yang

Waive the VB fee for 90 days to December 9, 2021 to get Fire C of O reinstated and VB Registration appeal granted.

Legislative Hearing Notes:

Staff: Leanna Shaff, Matt Dornfield, Marcia Moermond

Appellant: Matt Hursh

Moermond: Good afternoon Matt Hursh this is Marcia Moermond from St Paul CC, we will try calling you back in about 10-15 min, thank you.

Property owner Matt Hursh joined the call.

Moermond: [introduced staff present, stated purpose of this meeting, options for PO after she gives her recommendation, turned over to staff, then to PO to hear what they are looking for]

Shaff: this is a Fire CofO revocation and order to vacate, inspection conducted by inspector Efron Franquez, since 3/22/21, we had some no entries, some work that didn't get done, it had to be revoked for basically long-term non-compliance. Inspector Franquez notes not only do we have ground cover and parking issues in the back yard, but there were no construction permits for the egress windows or the electrical work performed, outlet and switches in the basement. Unfortunately, the work keeps continuing even incorrectly.

Moermond: I read in your letter your staff determined it to be a vacant building, does that mean they found it to be unoccupied?

Shaff: our standard response, and our inspector does not make reference to whether it is occupied or not.

Hursh: it is unoccupied

Moermond: turning to Mr. Dornfield whose team has been out there too

Dornfield: we opened Cat 1 VB on Aug 2021

Moermond: Mr Hursh, you're appealing this, can you tell me what you're looking for

Hursh: my understanding is the contractors I have are completing the repairs, the one issue I am aware of is the parking issue, I got a contractor to pour a concrete slab in the back, got a letter saying it failed, the contractors said yep it failed and we're no longer handling it, got an updated checklist, I sodded the backyard, the yard covering should be good, most of the stuff should be done, happy to have you come over there if this is approved, my question is the permit issues, whatever I need to do here, my electrician said he's been in contact with the City and has been having troubles getting the permit done, but the windows and egress windows did not pull a permit, I need to know if I can pull a permit or if I need to have a contractor do this, but I want to apologize for all the City time I've been taking. I'm hoping to meet them there instead of my building management company over.

Moermond: you need to get your CofO in order for it to be occupied. As the property owner I believe you can pull building permits, would check that with building inspectors. For those things, follow up with Trades ppl. Recommending waiving VB fee for 90 days. Should give you a good length of time, I'm sure you want this done as soon as possible so you can re-rent the place.

Hursh: My tenants broke the lease and left, I'm over most days to do sprinklers, I'm

going to do some additional repairs to sell it, like painting, can I do that now?
Wondering what the steps are for this.

Moermond: what I'm saying is you have a 90 day window to get your CofO. Whether you do that or someone else does, either is fine. There is nothing prohibiting you from selling the building. Dec 9th is when you need to have your CofO by. We got the extension in place, should be enough time to address the problems.

Hursh: we got the issues fixed, I want this to be a good house, with everything in good condition, but then I got confused by the order. I guess I will talk to the inspectors about it.

Moermond: we got the electrical and egress windows needed.

Hursh: yes, and we don't even need them to be bedrooms when I sell the house, so that's ok

Moermond: yes, ok, thank you bye

Hursh: thank you, have a great day

Referred to the City Council due back on 10/27/2021

**23 RLH VBR
21-65**

Appeal of Alexis Nelson and Adrian Clercx to a Vacant Building Registration Notice at 1268 PAYNE AVENUE.

Sponsors: Yang

Waive the VB fee for 60 days and allowing permits to be pulled. (changed to 90 days to November 30, 2021 per the Legislative Hearing Officer)

Legislative Hearing Notes:

Staff: Leanna Shaff, Matt Dornfield, Marcia Moermond

Appellant: Alexis Nelson ("Lexi"), Adrian Clercx

Moermond: HI I'm trying to reach Alexis Nelson and/or Adrian Clercx, this is MM from CC

Nelson: Yes this is Lexi

Moermond: [introduced staff present, stated purpose of this meeting, options for PO, turned over to staff]

Shaff: Fire CofO inspection, the inspector Dur Vue accompanied by Inspector Anhours and SPPD officer. This started for us earlier in the summer, July, prior to that we pulled an early CofO due to refuse, non-tenant found sleeping in inoperable RV, excessive items stored in Unit 2. Went through a number of attempted inspections, condemned on 8/27, we have multiple deficiencies and life safety issues, 38 deficiencies on the letter, including no permit pulled for water heater replacement, fire damage to Unit 1, steps that are unsafe, combustibile storage around mechanical equipment, unit 1 sleeping in a basement, leaking pipes, electrical issues, electrical shut-offs, a lot of deferred maintenance.

Moermond: ok so we have fire damage here, when did that happen? Prior to or during inspection cycle?

Shaff: I believe it was during the inspection cycle. There were many complaints against this building, it will be a little difficult to pick through.

Nelson: the fire took place on Sept 30th

Moermond: as in last week?

Nelson: sorry, August 30th

Moermond: ok, I'm looking at a condemnation placard that says Aug 27th. SO could it have been Aug 27th instead of Aug 30th?

Nelson: no the condemnation deals with the lack of electricity for Unit 1, the tenant damaged the electrical meter, we had code compliance inspectors out here.

Moermond: got it, Mr. Dornfield, what would you add to the record?

Dornfield: we made it a Cat 2 in Aug 2021, as of yesterday received a complaint that the basement window was open to trespass, wanted to get that on record.

Moermond: Mz Nelson, turning it over to you, what are you looking or today

Nelson: we have a 6 month old, we purchased the property the month I had him, he was in the NICU, we were not aware of any of the police complaints to start out with, only contacted to learn about the Fire CofO was revoked, we were working with a foundation with Ramsey Co, they had full-time caretakers who were supposed to help with communicating with them. We understood the tenants were supposed to have weekly meetings. We learned they didn't have hot water for over 3 months, without them telling us, we immediately put in new water heater. We were shocked by the Fire inspection. The Unit 1 failed to pay electric, she was being helped to pay, but she didn't want to pay even though she was getting payment help, so she messed with the electric. She had a place she was supposed to move into on the day the fire happened. On that day she decided to board the upper tenant up into her unit and start a fire in her entry way. Since then the building has been boarded, we have not seen anyone in it or around it. We submitted everything to insurance, we have money back from insurance to start repairs, insurance is not going to cover more than 50% of the needed repairs. Needing to find someone to buy, I work with investors, are in the process of finding a new owner. Trying to extend the Vacant Building Fee if possible to make this make more financial sense for someone to rehab the property. The new buyer we have in mind is willing to take on any repairs that are necessary. I'm not sure if we are appealing the vacant building fee or registration?

Moermond: it's all together. What are you looking at in terms of closing on the property?

Nelson: we are ready to close as soon as possible. We know that vacant buildings are prone to squatters. The buyer is ready to buy as soon as the title can be transferred. Have not received a date yet of when a next inspection will take place.

Moermond: it seems to me this fits nice and squarely within the Cat 2 Vacant building, needing a code compliance inspection. Willing to waive the Vacant Building fee for 90

days, so you don't have to have that assessment hanging over you, but it eventually will come to you as an assessment. This will allow permits to be pulled without having the fee paid right away. I'm going to ask staff for input, Mr. Dornfield?

Dornfield: nothing to add to that

Moermond: ok so yes it's a Category 2 Vacant Building, and the vacant building fee is waived for 60 days to hopefully facilitate those permits being pulled, but then it will need to be paid. Work with Mr. Reid Solely on getting the sale review done. DO we have the code compliance application in our system? No? ok so it's not showing up in our system just yet.

Nelson: I mailed it last Wed. That code compliance has to be completed prior to the sale, correct? It can't be sold until then?

Dornfield: sorry, trying to get off mute here. What's going to happen is the prospective buyer is going to have to call and be approved for the purchase, part of that approval is having that Code Compliance done.

Moermond: ok you got the code compliance inspection application in, and that's good, but I'm sorry I can't help you with the Category 2 Vacant Building.

Goodbyes.

Referred to the City Council due back on 10/27/2021

**24 RLH VBR
21-64**

Appeal of Chris Bjorling to a Vacant Building Registration Notice at 1182 REANEY AVENUE EAST.

Sponsors: Prince

Waive the vacant building fee until January 2, 2022.

Legislative Hearing Notes:

Staff: Leanna Shaff (LS), Matt Dornfield (MD), Marcia Moermond (MM)

Appellant: Chris Bjorling

Moermond: good afternoon, trying to reach Chris Bjorling?

Moermond: [introduced staff present, stated purpose of this meeting, options for PO, turned over to staff]

Shaff: Fire Inspection CofO conducted by Insp. James Thomas, started in March 23, 2021. On 4/21 inspector Thomas was able to get into the property, in May, in June, In July, pending revocation in August 31st, revocation is due to long-term non-compliance with issues as of that date for the basement, needing handrail, clean and sanitary, downstairs unit clean and sanitary, remove all storage from landing, fence needing repair, clean and unobstructed exit for 2nd story unit, dryer vent needing a permit. Long-term non-compliance.

Moermond: you revoked it at the end of Aug, went to Mr. Dornfield.

Dornfield: not much to add, opened Cat 2 VB, due to non-compliance

Moermond: turn it over to PO

Bjorling: we have a tenant, that has found some of the same issues the inspector found, we attempted to gain entry, the tenant would not let people in, barricaded the door, would not let us in, we filed for an eviction after the moratorium ended, were granted orders for the eviction, were told by the judge that the tenant Caitlin Wood suffers from mental health issues and has been without medication and has been contributing to the property issues. We try to gain access and she won't let us in, when we would get in the apt smells like urine, we asked her to clean it and offered to help her, she says no. She has been ordered to vacate by Nov 7th, we are not sure if she will leave willingly. We are hoping to resolve issues when she leaves. The 2nd story tenant has been great, the extra storage has been taken care of when we asked her to do so, she did not know it would be an issue.

Moermond: so how long do you think your team will need to do that work?

Bjorling: we've gotten indications she will refuse to leave, will likely need a sheriff to force her out, need to maintain her stuff for 28 days, some people place in external storage area, but a lot of it is trash and hazardous waste, don't really want to move it to another location, I'm counting 28 days from Nov 7th, and then it would likely take us 3-4 weeks to get the unit to a livable condition. So, like Dec 5th, and then 3-4 weeks, so early January for having property in respectable condition.

Moermond: alright, you have a couple of things going on here. It was referred as a Cat 2 VB, meaning you would need a C of CC. But I'm recommending it be a Cat 1 VB, meaning you just need a CofO to re-rent to a new tenant. I will give you until Jan 2nd, 4 month waiver of VB fee, can't go any longer, 120 day waiver. Need to get CofO by then. Ok? I wish you luck. And take care.

Bjorling: can I ask a few questions? In order to get CofO inspected, do I just call?

Shaff: your inspector is inspector Thomas, you would need to contact him directly

Bjorling: I do have one question on that. We have a number of process around St Paul, have never had this issue. Wondering if there is a way to have the supervisor inspect it or have a new inspector out there. We tried to explain the situation to Insp. Thomas, and it didn't seem like he had any interest in trying to understand it.

Shaff: this is something we would decide later, not in a hearing

Moermond: you are the supervisor for Insp. Thomas, so that would be a decision for LH

Shaff: you can call me [gave number]

Moermond: you will get this information in a letter and also an email

Bjorling: ok thank you

Moermond: goodbye

Referred to the City Council due back on 10/27/2021

1:30 p.m. Hearings**Orders To Vacate - Fire Certificate of Occupancy**

- 25 [RLH VO 21-40](#) Appeal of Jessie Dalbec, dba Twin Cities Home Rental on behalf of Owner, Barbara Branum, to a Revocation of Fire Certificate of Occupancy and Order to Vacate 1177 FOURTH STREET EAST.

Sponsors: Prince

Deny the appeal, noting property is in compliance.

Legislative Hearing Notes:

[got their Fire CofO reinstated just a few minutes ago]

Staff: Leanna Shaff (LS), Marcia Moermond (MM)

Appellant: Barbara Branum

Moermond: is this Barbara Branum? Do you want us to add Jessie Dalbec?

Branum: you can add her if she's available?

Moermond: it's your call

Branum: ok no I don't think it's necessary

Moermond: staff have a quick report

Shaff: yes, the Fire CofO was accepted just recently today

Branum: just to let you know, I am taking over management of inspections here, I will be in charge of these inspections from now on. Property management will not be taking care of this at all.

Moermond: one last thing, we'll send you a form to fill out saying you are the person to be contacted for inspections. Also, someone, not sure if it was you or Ms Dalbec, you dropped off the appeal fee in our office in person today

Branum: I said to just go in person.

Moermond: you have your CofO, and you'll be the responsible person, you'll get an email from us and the form to fill out.

Branum: so everything is good now, the tenants were just put on this assistance program, all the issues were for me to do except the cleanliness issue. I'm looking at the issues and the management company said all these things were for her to do, and I said no it's not. It's for us to do. The management company referred me to a repair guy to get things resolved in the future. I was trying to fill out the form you mentioned online but didn't figure it out. Thank you for sending it.

Moermond: it sounds like we have everything resolved, and I wish you well in the

management of this property.

Branum: do I have to do that fee? That registration fee?

Moermond: there will be an inspection fee, that will be a standard bill for anyone who gets their CofO.

Shaff: it will go out in the next day or two.

Branum: ok sounds good, thank you guys so much, I appreciate it, bye

Referred to the City Council due back on 10/20/2021

2:00 p.m. Hearings

Fire Certificates of Occupancy

- 26 RLH FCO
21-160** Appeal of Scott Hammond, Awards by Hammond, to a Fire Certificate of Occupancy Approval With Corrections at 1669 and 1671 UNIVERSITY AVENUE WEST.
- Sponsors:** Jalali
- Grant an extension to November 12, 2021.*
- Legislative Hearing Notes:*
- Staff: Leanna Shaff (LS), Mitch Imbertson (MI), Marcia Moermond (MM)*
- Appellant: Scott Hammond*
- Moermond: [confirmed PO, greetings, introduced staff present, stated purpose of this meeting, options for PO, turned over to staff]*
- Imbertson: In this case I happened to be the inspector out to the property at the inspection, what I observed was a partial fire alarm system, this is not a required fire alarm system for Fire Code according to occupancy type and size of the building. It appears to have been added for additional property protection, it elapsed the standard notification system, it appears to report out to a monitoring company about a smoke or fire detected in the building. They are required to have annual testing of the fire system, it's not a system that is able to be tested as you would with a home style as with the push of a button, would need to be tested by a company able to test with low voltage fire alarm system. Second requirement is to provide a Fire Dept key box, it does not appear the building had a fire alarm key box before, but it doesn't have a record of having the system previously, so it was either unknown or not present before. If there is no monitored system or sprinkler system we would not require a key box. But with this system, the key box is needed to allow for inspection of the property when the alarm is triggered.*
- Moermond: ok so we have a partial system, the system is not required, but if it is present you would need a keybox, is that correct?*
- Imbertson: yes, the building does not require the system, but if it is present a keybox is needed.*

Hammond: I'm wondering what is meant by a system, we were ordered to purchase and install fire extinguishers in a completely unoccupied part of the building, all concrete walls and ceilings, totally unoccupied. We purchased and installed everything. And even with the fire extinguishers we added, who would operate them?

Moermond: I'm hearing you have an interconnected fire/smoke detector system. Is that correct?

Hammond: yes, we have a contract with Prestige.

Imbertson: I have not, I would be happy to look into it, would need to see if they verified active monitoring of the system or if they verified the system itself, testing the devices to note if they properly communicate with the panel and the panel reports out.

Moermond: ok so the system would be one that requires a keybox?

Imbertson: yes, per Fire Code I would conclude this is a Fire Alarm System. Usually this is any fire protection devices connected to a panel and a central service company. This system does not have all the devices needed for if it were a required system. For example, it might not meet minimum spacing requirements, or notification devices to alert the occupants and alert them from the building. We see this as more of a property protection type of service. It is not doing anything to alert the tenants, it's more of an after-hours property protection service.

Moermond: does that answer your question?

Hammond: no, I totally disagree, if one goes off, it will alert us via a horn. Why would a Fire Inspector ask us to remove it?

Moermond: I don't read that in there, you are being given 2 options.

Hammond: he told my employee that we might get a discount on our fire system if we remove it. Why would they ask us to reduce our fire protections?

Moermond: that would be one way to comply, and you can choose to do that, I'm not hearing a specific recommendation from what I'm reading from the inspector.

Hammond: "...non-required alarm system... may be alternately removed" why would we remove our only system?

Moermond: it sounds like you don't want to do that, so you would need to have it inspected annually. You mentioned you have had a couple of break-ins, have those been connected with the keybox?

Hammond: we have been broken into three times, people are pretty savvy, if they see a keybox, that is just such a vulnerability.

Moermond: are you familiar with a key box in this context? Mr. Imbertson, can you describe the lock box system?

Imbertson: yes, you are probably familiar seeing them around town, which ones are the Knox Boxes. They are very secure boxes. We are not aware of any cases that have been reported where someone has been able to break into the box. The box itself is

well constructed and secure. It is thick steel casing around the entire box, and medical lock with a key that only the fire department has a key for. It usually provides more of a high level of security than the door itself, or other ways of getting into the building. It is usually easier to break into the building through other means.

Hammond: I'm 60 years old, I could break into the front doors myself. I don't quite grasp the need for that. How much time is the fire dept going to save trying to figure out which door goes into which door?

Imbertson: the Knox Box goes only into one building, we would only require one key box for the building, would be the door to the Awards By Hammond, by the alarm system. Can be mounted by the front door, up to 7 ft high, minimizes tampering with the lockbox, out of the sightline. Some people might not even notice it. Inside the box you would provide keys to get into the main building areas. Entries from outside and any secure doors inside the building. Don't need every nook and cranny, if there are multiple keys going in the box they should be labeled. If there is fire showing outside of the building, we will address that location, but the lockbox allows Fire to get into the building without having to use a crowbar on the front door or cut the front door.

Moermond: if the Fire dept has to force entry into the building, they will do what they need to do to get in, which will leave you with the cost of the doors and the boarding fee associated with boarding back up the entry. The property damage would be more substantial than the cost of a lockbox.

Hammond: ok, the front door of our building, I can't imagine it would be more than \$800, but I don't want to belabor the point, we will do what you say to do.

Moermond: you've got a set of orders saying that by Oct 1st you need to either remove/disconnect it, or test it.

Hammond: it has been tested

Moermond: perfect, that information should go to Mr. Imbertson. And then the keybox needs to be added. It's Oct 5th now, let's say by Nov 12th we'll land the plane on this. Does that sound like a good deadline.

Hammond: fine by me

Imbertson: fine on our end

Moermond: Ok we'll go with that. I'm sorry you've had break-ins, and I know many property owners who have had breaking in your area. I wish you well.

Hammond: it's gotten worse than that, had a homeless person sleeping in our front door, had a cement building we had to tear down because people kept sleeping in there. Also, question for Fire inspection, he said we have to say doors will remain unlocked while the business is occupied.

Imbertson: the sign and keeping the door open is required if there is a lock from the inside and outside. If the door can be opened from the inside without a key, you don't need a sign. The sign is only for double-keyed locks which would require a key to exit. If you do still have the double key deadbolt lock, and you want to lock the door while you are still working after hours, I would look at a locking doorknob or a regular thumb turn deadbolt that can be operated from inside the building.

Moermond: ok so it's entirely dependent on the type of lock on the doors.

Hammond: I am miffed, miffed, but whatever, you have your rules. What I have a double keyed lock, and you leave the key in, does that count?

Imbertson: If the key is still removable, we would need the lock to stay unlocked while someone is in the building. If you have a locking bolt in addition, you could lock the door handle and leave the inner bolt unlocked. If people are in the building counting on that door to get out, then yes.

Hammond: thank you, I appreciate the time you've given me.

Moermond: we do wish you well

Hammond: well, we've put the property up for sale, so it might become someone else's problem, ok, bye

Referred to the City Council due back on 10/27/2021

27 [RLH FCO
21-153](#)

Appeal of Mark Younghans to a Correction Notice-Reinspection Complaint at 1191 EARL STREET.

Sponsors: Yang

Layover to Oct 19, 2021. Owner to submit a contractor statement of their evaluation for the brick wall.

Legislative Hearing Notes:

Staff: Leanna Shaff (LS), Marcia Moermond (MM)

Appellant: Mark Younghans

Moermond: [confirmed PO, greetings, introduced staff present, stated purpose of this meeting, options for PO, turned over to staff]

Shaff: this is a Fire CofO on a referral, it had been approved with corrections, in the orders Inspector Franquiz's deficiency list says to maintain all the exterior walls, there is a very large crack, and a large part broken off, it is no longer straight. First noted on Fire CofO back on Sept 8th. When I look at the pictures, I see a lot of tuck pointing needing to be done, parts of the wall not straight by the water meter. The brick walls are not structural, they are veneer. When the mortar joints aren't maintained, the water gets in, freezes, expands, pushing the brick out when it's not attached adequately. Mr. Younghans in his appeal mentions he has contacted contractors saying it is not necessary, however, we don't have any documentation on their corporate letterhead saying it's not an issue. We believe it is an issue.

Moermond: clarification, first noted 2020 or 2021?

Shaff: letter inspected Sept 8th of 2020

Moermond: when you say licensed contractor, sometimes I've heard you require structural engineer contractor instead of general contractor? Why is general recommended here?

Shaff: usually we're not asking for a structural engineer to inspect a veneer, most masons would evaluate what is needed for the repair.

Moermond: what are you looking for today Mr. Younghans?

Younghans: you can see this was back in 2020, was having a hard time getting any contractor to come out, estimating at 2000, said you can tuck-point to make the wall solid, he said we could take the whole wall out, tuck point, said you don't have to, it's not the best look, but financially 22 grand? Not right now, that would be Very tough. Only got a bid from a few of the people I've called, they're saying they're booked for the season. Saying it doesn't have to be fixed.

Moermond: you can see why the City would be looking for written documentation for that?

Younghans: yes, I didn't know why you would need it but I know now. I didn't know to ask them to write up the other side of it.

Shaff: regardless of whether they would take it apart or rebuild it, it needs to be tuck-pointed. As we have portions of missing mortar, which can be problematic.

Younghans: yes, for sure

Moermond: you said you had someone out there who said it can wait. Can you ask them to put their name on this?

Younghans: yes, it's been a few months, but yes I don't see why they would.

Moermond: thank you, it will need to go to our inspectors, my expertise is not in mortar and the wood going behind it but we do have people who look at these issues all the time. I am concerned about timing, we are in Oct and this has been going on for over a year now. The next thing we would need to look at would be is there structural damage on the inside or is there a risk of brick falling? Does Mr. Scratsky have expertise in this?

Shaff: he is a plan examiner, does not work in the field.

Moermond: I understand. Is this residential? Commercial? Mixed?

Younghans: mixed, three commercial spaces and one residential.

Moermond: how about we postpone this conversation for two weeks, let's talk on Oct 19th, by then we need to have something from a professional saying it can wait.

Younghans: who do I send it to?

Moermond: We will send you a letter and an email with the information. You can reply with the information you have. Thank you, good luck, we'll talk with you soon.

Younghans: buh bye

Laid Over to the Legislative Hearings due back on 10/19/2021

28 [RLH FCO](#)
[21-150](#)

Appeal of Craig Thiele to a Fire Inspection Correction Notice at 1040 MARGARET STREET.

Sponsors: Prince

Layover to Oct 19, 2021. Owner to submit a work plan for compliance with the chipped and peeling paint to the building.

Legislative Hearing Notes:

Staff: Leanna Shaff (LS), Marcia Moermond (MM)

Appellant: Craig Thiele

Moermond: [confirmed PO, greetings, introduced staff present, stated purpose of this meeting, options for PO, turned over to staff]

Shaff: This is a Fire CofO referral that was created from an approval of the Fire CofO with corrections, what looks like what is being appealed is the requirement of maintaining exterior walls, maintain and protected from the elements, documented 8/3/2021. Inspector Thomas's pictures, shows wood surfaces have not been maintained. Rotting wood, peeling paint, alligating paint (lead based paint), shows this has not been properly maintained for quite some time.

Moermond: turning it over to you Mr. Thiele

Thiele: she's saying the alligator paint, the only way to do it is burn it off...

Shaff: that's not what I'm saying sir

Thiele: you're saying remove the alligating paint, the only way to do it is burning it

Shaff: who said that sir?

Thiele: I scraped all the areas of paint, there is one surface I missed. One piece of rotting wood I missed that had fallen off, has not been there in over 10 years, I have a piece of wood to put up there right now. Everything is scraped and painted. I have tried removing the alligator paint. It does not come off. That's why I'm appealing.

Moermond: it's hard when I'm looking at this because that is one thing I'm looking at. The alligating is more of an issue in some areas than others.

Thiele: the part that was not painted was the sill on the 2nd floor, and by the kitchen windows. The rest is scraped and painted.

Moermond: the photos we have is Sept 7th, LS is that correct? Is that the re-inspection?

Shaff: that's when they were added, I'm guessing that would be correct.

Moermond: [to Mai Vang, can you check to see when these orders were issued?]

Thiele: Sept 7th is I believe the inspection date.

Shaff: the photos are dated Sept 7th

Thiele: the only rotted wood was the top of one window, inspector Thomas has been out there every time, last time and the most recent time, now he picks on a piece of wood that's fallen off.

Moermond: from the photos I'm looking at on Sept 7th, it does look like there's more going on. Looks like a lot of work that was done rather slap dash. I have had old houses, and I know it's a chore, it's a doable chore though. I'm seeing exposed wood in a number of locations, where the photos were taken, lifted paint that was not scraped and painted. We have a deadline from the Sept 14th letter of Sept 30th. The appeal was filed on the 13th. This explains why they do not include the Sept 14th orders. Alright, it looks to me that we have more work to be done, that you are ready to do that, you have concerns with being able to remove paint and scrape it away.

Thiele: when we worked on it, my son and I, we scraped as much as we could. The only piece of trim was that one that had rotted away.

Moermond: I'm looking at surfaces that have been painted, with a fresh coat of white paint over old paint.

Thiele: that could be, you say you've worked on old buildings you know what it's like.

Moermond: mmhm sure do, it takes a bit of elbow grease.

Thiele: I think what you're asking for is unreasonable

Moermond: what do you think is reasonable?

Thiele: paint as I've done and replace the part of the window framing that fell off

Moermond: what about the paint?

Thiele: it's an ongoing issue, it's going to come loose eventually.

Moermond: I tell ya, if I ran a scraper across this I would pull up a ton.

Thiele: he didn't point out any specific spaces, he just said alligator paint

Moermond: we're going to send you the photos the inspector took so we can look at the same thing, at your email address. I'm looking for a plan. I can't accept the quality of the work I'm looking at now. If you can give me a plan for the specific issue areas, we can move forward. But, we're trying to get ourselves up to a D, not even a C or a B, just not a D. I would like to have a plan for how you will address things. I understand how some things are more pressing than others. Ex: do A now, and do B and C by a later date. I'm willing to have that discussion with you. Let's have this discussion in two weeks time, Oct 19th. We will call you and send you a follow up letter this week.

Thiele: ok, seeing the pictures of what he considers is unreasonable will be helpful

Moermond: indeed, ok thank you buh bye

Laid Over to the Legislative Hearings due back on 10/19/2021

**29 RLH FCO
21-158**

Appeal of Romulo Nieto to a Correction Notice-Reinspection Complaint at 618 MINNEHAHA AVENUE EAST.

Sponsors: Prince

Layover to Oct. 12, 2021. Fire inspection to occur to assess the upper unit to determine how many exits goes directly to the outside before the hearing.

Legislative Hearing Notes:

Staff: Leanna Shaff (LS), Marcia Moermond (MM)

Appellant: Romulo Nieto

Moermond: [confirmed PO, greetings, introduced staff present, stated purpose of this meeting, options for PO, turned over to staff]

Shaff: This is a Complaint Inspection conducted by Inspector Franquiz, this is relating to a Fire CofO that was approved earlier in the year. All the items on this list were first noted on 12/14/2020. We have a parking surface that is in disrepair, a guardrail that is cracked/warped/damaged, sections of stair supports leading to second level that are in disrepair. We have asked for a statement from an expert about what needs to be done but we have not received it.

Moermond: Mr. Nieto, tell me a bit about what you are looking for today, you are asking for an extension?

Nieto: I want to thank Ms. Leanna, and Mr. Franquiz treats us very nicely, we appreciate his recommendations. He had over 20 items on the list, we purchased the building at the beginning of 2020. Very quickly we began painting the building, during the process, there was a tenant who reached out to the City to identify a complaint. We corrected it right away. Covid-19 impacted us in a big way. No one was originally parking in the back, I said let's provide a good service to our neighbors and the City of St Paul with these units, I tell my wife, let's build a very nice driveway, the previous owners had a fence to prevent parking. We are going to fix it, but Covid has affected us a lot. A company we contracted says it will cost \$20k. We don't have that. The inside is impeccable. Regarding the stairs, there were a couple of nails missing, we will be able to fix that. We just need some more time. Our neighbors at the restaurant have praised us for the work on the house, they have said how often police used to come and how they don't need to anymore, we choose good people. I want to keep growing financially and investing, this is a good education for me. Mr. Franquiz provided a good education for me. I was guided by the inspector and an experienced realtor. The property looks nice, no complaints on my end, it's just a learning property. We don't want to have to sell the property.

Moermond: have you looked into the City's rental rehabilitation program to see if you could get money there to help pay for the repairs?

Nieto: Most of the money we have put in has been cash. We haven't had to borrow any money. Now that I know about it I will definitely apply.

Moermond: where I'm coming at it, I'm less concerned about the parking area, more concerned about the stairs in the back. The inspector didn't condemn the stairs, they did say get a structural engineer to look at it. It could be affordable or not, if it is not then you can look into emergency funding for that.

Shaff: I'm looking at pictures of these stairs. This is quite concerning.

Nieto: we've had people say that the stairs are very sturdy, not going anywhere, but the inspector educated us in a very respectful way.

Shaff: excuse me, Mr. Nieto, I am Mr. Franquiz's supervisor, and am a certified inspector. From the photos, it looks like you have not made any improvements, and they were improperly installed, and they need attention immediately.

Moermond: this was a re-inspection on Sept 9th, when was the first inspection made?

Shaff: The stairs were first noted on 12/14/2020.

Moermond: have you sent these photos to Ms. Vang?

Shaff: yes, I have, and I'm quite concerned.

Moermond: [reviews photos] I'm curious, is this a required egress? Especially for the 2nd story unit? It might be that these stairs should be condemned. If they are condemned, and the exit is not required, that may buy a bit of time. What I'm saying is some measurements should be taken of the upstairs unit, sometimes apartments need two ways to the outside, others need just one. If only one is required, it gives a bit of time to deal with this back exit. I'm sure the last thing you and your insurance want is someone to be injured coming in or out of the building.

Nieto: yes, absolutely,

Moermond: yes, I need to trust an engineer

Nieto: yes, it would be very poor judgment to allow it

Moermond: yes, I need an engineer to make the determination, and depending on what they find you may have more time. LS can you schedule a time to check again? I will recommend you to the rehabilitation program. You should have an engineer go to the site. They may have an estimate on cost at that point.

Nieto: absolutely, I will hire an engineer on the spot. By the end of the week I should have someone over there. I want to thank you for being so careful. If you can ask Mr. Franquiz, he said to have a general contractor, and they have been too busy, needing to find a key player to get the job done. Don't want to be causing headache. I appreciate this. We will do our very best, thank you for the for the opportunity.

Moermond: we are asking now for a structural engineer, we will send to you in a letter and email. It looks like general contractor is what had been in writing before.

Nieto: wait when will I hear from you again?

Moermond: yes, we will call you next week

Nieto: thank you, I appreciate it, we talk next week

Moermond: sounds good, buh bye

Laid Over to the Legislative Hearings due back on 10/12/2021

**30 RLH FCO
21-155**

Appeal of Aleksandra Felt to a Fire Certificate of Occupancy Correction Notice at 922 WOODBRIDGE STREET.

Sponsors: Thao

Grant to November 12, 2021 to repair or remove the stove/oven appliance.

Legislative Hearing Notes:

Staff: Leanna Shaff (LS), Marcia Moermond (MM)

Appellant: Aleksandra Felt

Moermond: [confirmed PO, greetings, introduced staff present, stated purpose of this meeting, options for PO, turned over to staff]

Shaff: this is a re-inspection of a complaint, the inspector is Torrence Ferrell, he's got two inspection items, one is in the kitchen, to repair or replace the oven, the stove portion works but the oven does not. The second is repair or replace the plumbing to an operational condition. In unit 1 if you run the water, then unit 2 has greatly reduced water flow. We at DSI don't have a measure for that, so I am withdrawing that order.

Moermond: Mz. Felt, you had been inquiring what that meant, does this satisfy your inquiry?

Felt: we are in the process of evicting the tenant. They made their complaint when they already had the notice to vacate the property. We are waiting to repair the plumbing because of safety, they have multiple violations of their lease, and we have more work needed to do to update the space, they are a danger to us. There are multiple police reports, involving the violent nature of them. The tenant was also saying there was something wrong with the fridge, but in May we replaced the fridge. Not sure of the damage to the fridge, but if it's due to them, and they get a new stove, and they get the eviction order, purchasing a new appliance and putting it in there would be a risk of loss to the owner.

Moermond: where are you at in terms of risk to the owner?

Felt: due to technology errors on the defendant's side we have rescheduled and now it is on Friday at 9a.

Moermond: so you have a court date on Friday?

Felt: yes, on Friday, for the eviction

Moermond: alright, today is Oct 5th, I am going to suggest that you be given through Nov 12th to be able to address the stove issue. You have an extension to Nov 12th, hopefully that coincides with your tenant issue. I wish you well.

Felt: thank you, I just want to make sure, the only issue to address is the stove?

Moermond: That is correct. Have a good rest of your day.

Referred to the City Council due back on 10/27/2021