



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
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Tuesday, October 12, 2021

9:00 AM

Remote

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

##### Remove/Repair Orders

- 1 [RLH RR 21-59](#) Ordering the rehabilitation or razing and removal of the structures at 830 IGLEHART AVENUE within fifteen (15) days after the September 22, 2021, City Council Public Hearing. (To refer to October 12, 2021 Legislative Hearings)

**Sponsors:** Thao

*Layover to LH October 26, 2021 via phone. By noon on Monday, October 25, 2021 PO must 1) bring real estate taxes current, 2) submit evidence of financing sufficient to complete the rehab, 3) submit an affidavit dedicating funds to the project, 4) submit a work plan, sworn construction statement, or scope of work and schedule and 5) the property must be maintained.*

*David Schramel, owner, appeared via phone*

*Moermond: we are following up on the previous hearing. We will summarize where we left off and where we are going from here.*

*Staff report by Supervisor Joe Yannarely: a \$5,000 Performance Deposit was to be placed, which occurred. The property also was maintained.*

*Moermond: so today we're talking about money and taxes and work plans. It sounds like you've been talking to contractors?*

*Schramel: the Code Compliance Report was completed. I had plumbing electrician and heating out to bid the work. I have everything back I just don't have it completely put together with the scope of work and affidavit. I have it all, I just haven't prepared it.*

*Moermond: who is your general? Is it you or are you hiring someone?*

*Schramel: I am my own.*

*Moermond: are you doing the building items?*

*Schramel: yes. Well, the two main items are the decks and Bruhn wanted a gutter*

system, I have a bid for that. But I will be doing the decks.

Moermond: that sounds great. I would say make sure when you put forward your bids you include something from yourself. The City's estimate includes everything, and we're saying exceeding 50k, but your time and supplies are worth something so put a statement in there on that value so it is included in that tabulation. When bids come in really low we get a little worried. Terrific, it seems we are in the place where we need some deadlines on wrapping up these items. Are the taxes resolvable?

Schramel: yes, I'll be taking care of it on the 15th.

Moermond: today is October 12. Would you be able to pull it together by October 26?

Schramel: yes. How does it work on your end once you have everything from me? Timelines on that?

Moermond: what I do is I'll review your materials and make sure everything is there that we need. There's nothing unusual in your situation. Plans, financing, taxes, common things. I'll look at that on October 26 and confirm with you everything is good. If you have it together before that and you want to start, submit it and we can try and look at them early and approve them and then you can start pulling building permits. If we look at it October 26 we'll put it in front of Council November 3 or 10. The Council will give you that 180 days. I'm not seeing hiccups here. If you submit early, we can review early otherwise we'll review on the 26th. If it is greenlighted it is good, if it isn't we have some time to do a little course correcting

Schramel: 26th is good for a deadline. Does that mean the Council can only approve it the 3rd? so that would be the earliest.

Moermond: if you have materials together sooner we can green light permits, you don't have to wait for a Council vote. So if on the 26 things look good, Mr. Magner would note that you can pull permits for the project starting the next day.

Schramel: great, that clarifies things.

Moermond: if you could have something to us by the 25th, then we would have time to review before we talk. Any other questions?

Schramel: no, I think that covers everything. Samples will be sent?

Moermond: yes, we absolutely can.

Schramel: that sounds very good.

**Laid Over to the Legislative Hearings due back on 10/26/2021**

**2**      [RLH RR 21-24](#)

Ordering the rehabilitation or razing and removal of the structures at 975 HUDSON ROAD within fifteen (15) days after the May 26, 2021, City Council Public Hearing. (Amend to remove within 15 days )

**Sponsors:**            Prince

Layover to LH October 26, 2021 at 9 am. for discussion on preliminary work plans.  
Note that property must be maintained.

No one appeared

Moermond: there was a mistake in the follow-up letter after the Council hearing on this. It was confirming the date of this hearing and it wasn't clear in the letter. Therefore the owner's attorney isn't available. So we'll lay it over two weeks to talk about work plans. We do have the Code Compliance Inspection Report so hopefully they can use that in the meantime. We'll talk about that and financing at the next hearing, along with the third party doing the rehab.

**Laid Over to the Legislative Hearings due back on 10/26/2021**

- 3 [RLH RR 21-62](#) Ordering the rehabilitation or razing and removal of the structures at 1514 VAN BUREN AVENUE within fifteen (15) days after the October 20, 2021, City Council Public Hearing. (to Refer back to November 9, 2021 Legislative Hearing)

**Sponsors:** Jalali

Refer back to LH November 9, 2021 at 9 am via phone. By COB Friday, November 5 PO must 1) submit evidence of financing sufficient to complete the rehab, 2) submit an affidavit dedicating funds to the project, 3) submit a work plan, sworn construction statement, or scope of work and schedule and 4) the property must be maintained.

Alan Tang, owner, appeared via phone

Moermond: it looks like Ms. Stangland was unable to redeem the mortgage and you are in ownership?

Tang: yes, the redemption expired October 6.

Moermond: we were asking if she should be added as an interested party. If she hasn't redeemed the mortgage we won't be calling her in. We did have a follow-up letter sent September 17. I'm going to have Mr. Yannarely summarize where we left things.

Staff update by Supervisor Joe Yannarely: yesterday we did receive a Code Compliance Inspection fee, and the \$5,000 Performance Deposit was posted.

Tang: and on the letter those are the 2 things that needed to be satisfied.

Yannarely: and the property being maintained. Which it has been.

Moermond: so we're in a place where the first 3 things are taken care of, the Code Compliance Inspection is applied for. Performance Deposit is posted and it is being maintained. That's all fantastic. The next stage is you need time to get that Code Compliance Inspection completed and shop it around to contractors to put together a work plan and get bids and a schedule. And then confirming there is money to finance the project. I want to be mindful that it will take time to get that Code Compliance Inspection done. Today is October 12. I'm going to ask the Council on October 20 to refer it back on November 9. I would expect you'd have the Code Compliance Inspection in your hands for a couple weeks at that time and may have some bids. But we'll have a better flavor for how far things are along. We may not have everything buttoned up, but I'd like to do a status check then

Tang: that's not a problem. I shouldn't have a problem getting bids by then. I can show financing now. November 9 I should be more than ready to get the job done.

*Moermond: terrific. I'll ask them to send it back November 9 and we'll hopefully be able to finalize a recommendation for you to get 180 days to do the rehab.*

*Tang: no problem. I had supply chain issues this summer. It hasn't been as smooth as it has been in the past, but 180 days is doable.*

*Moermond: we'll talk November 9 and we'll send a confirmation letter via email the end of the week. I'll ask Mr. Ubl to expedite this Code Compliance Inspection.*

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

## 10:00 a.m. Hearings

### Making Finding on Nuisance Abatements

- 4 RLH RR 21-36** Making finding on the appealed substantial abatement ordered for 854 EDMUND AVENUE in Council File RLH RR 20-44. (Legislative Hearing on October 26, 2021)

**Sponsors:** Thao

*Layover to LH October 26, 2021 at 10 am. Continue the \$5,000 Performance Deposit. PO to submit updated schedule for completing the rehab & updated proof of financing by COB October 22, 2021. (CPH October 27).*

*Susie Thill, owner, appeared via phone*

*Staff update by Supervisor Joe Yannarely: after the last hearing April 7, we had a letter dated September 27 stating the Code Compliance Certificate wasn't completed and to contact Nathan Bruhn for an inspection. He has stated it is 75% complete.*

*Moermond: I will be continuing your Performance Deposit, no danger of forfeiting it. That's the first good thing. 75% isn't quite where you wanted to be, what has happened?*

*Thill: I'm not sure when that inspection was. I talked to someone yesterday. We had a few issues with Xcel Energy, something with the gutters. Yesterday they were waiting for a soffit and fascia repair. Carpet is coming in this week or early next week. He told me 90% done. After the carpet, we just need to do the final inspection. I know we are waiting for Xcel to come out and inspect the gas lines. We're almost there. That's the update I have from yesterday.*

*Moermond: the assessment of 75% would have been in the last couple of weeks. What I am hoping to get from you is an updated schedule for completing the project. I am assuming financially everything is in order, but I'm looking for documentation that you're not going to run out of money. Either things are paid off or there are funds to finish.*

*Thill: there were 3 large payments made as the project continued. \$12,000 when they put the cabinets in. Just last week they asked for that \$12,000. So you just want confirmation from the contractor they have the funds to do that?*

*Moermond: yes, that would be perfect. And then a schedule for completing. One*

month, three months, before permits are finalized. Map out what you just told me. Your schedule in broad brush strokes and based on that I can develop a recommendation to Council to complete the work.

Thill: hopefully soon.

Moermond: during Covid I'm trying to cushion these things since sometimes things come up. Once I get the confirmation of funds and a revised schedule, I'd like to look at that October 26. This goes to Council on October 27. I'd like to have materials by October 22 so I have time to look at them before Council. I will hopefully recommend a grant of 90 days to finish, but I need those conditions met.

Thill: ok. As far as the Performance Deposit, is that something that comes back to me automatically?

Yannarely: you need to email Reid Soley about that.

Moermond: we'll talk in a couple weeks and hopefully button this up.

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

**5 RLH RR 21-41** Making finding on the appealed substantial abatement ordered for 864 MARION STREET in Council File RLH RR 21-2.

Sponsors: Thao

PO to forfeit \$5,000 of posted performance deposit. By COB October 27 PO to submit a schedule for completing the project. By COB Tuesday, November 9, 2021 PO to submit an additional \$5,000 Performance Deposit.

Robert Schilling, owner, appeared via phone  
Richard Bowen, attorney, appeared via phone

Voicemail for David Shelton at 10:17 am: this is Moermond from St Paul City Council. We're discussing 864 Marion; we'll proceed with Robert Schilling and Richard Bowen on the line.

Moermond: we have received a packet of information dated October 8. Mr. Yannarely and I have reviewed it. It looks acceptable, but we don't have a schedule for the work to be completed as part of this package. I'll need that. Assuming you can pull that together?

Bowen: yes.

Schilling: yes.

Moermond: this was scheduled to go to Council last week, we continued the matter and I'd like to get this in front of Council October 27. Here's the thing. We spoke last time about the \$10,000 Performance Deposit that is currently posted. I talked about how I would be looking at forfeiting all or part of that due to lack of progress. My recommendation to Council will be to forfeit \$5,000 and replace with a new \$5,000. You can certainly ask the Council for a different outcome. My recommendation is based on the fact we started this conversation in May 2019. We've been on this project for more than 2 years and the fact this is round 3 in front of Council. The Council can look it differently, if you want them to do that let us know and you'll have the opportunity to

testify. That would be between 3:30 and 5 p.m. on October 27.

Bowen: I will be out of state.

Schilling: I do have one duplex that has renters and rents haven't come in for 3 months due to Covid. I'm trying to get a government check to pay the rent. I've had to make \$1,600 mortgage payments out of my pocket. I've been working to make ends meet there. To find another \$5,000 would be an extreme hardship at this point.

Moermond: I understand. That's what you want to communicate to the City Council. Mr. Bowen, would November 3 for you?

Bowen: yes.

Moermond: so we'll send it to Council with a date of November 3.

Bowen: I wanted to know if you took into consideration his 3 serious operations?

Moermond: I did.

Bowen: wow.

Moermond: 20 percent 6 months ago was exceptionally bad. We're in this 28 months now. It isn't just the last sixth months. It is the lack of completion over the last 2 years. The Council may look at this differently and I definitely think you should testify on that. If I get the schedule and it looks good, then I will recommend there is a grant of 180 days to complete if the Performance Deposit issue is taken care of. That's my jumping off place on it, I would suggest you definitely send a letter explaining your situation and testifying on it.

Bowen: and that's done remotely?

Moermond: yes, under the Mayor's emergency early they are still meeting remotely. We'd call you into the Teams meeting.

Bowen: do they mail us the codes for the hearing?

Moermond: we'll call you in. Would you both want to speak?

Bowen: we'll talk about it.

Moermond: you certainly both can if you want to. I can sort on our end what that will look like from a technological standpoint.

Bowen: that's November 3?

Moermond: yes, and it is typically around 4:00 but guessing how quickly Council goes is a perilous thing to do.

**Referred to the City Council due back on 11/3/2021**

**11:00 a.m. Hearings**

**Correction Orders****6 RLH CO 21-7** Appeal of Dionne Simmons to a Correction Notice at 294 HAZELWOOD STREET.

**Sponsors:** Prince

*Grant to December 1, 2021 for compliance.*

*Dionne Simmons, owner, appeared via phone*

*Greg Finzell, Rondo Community Land Trust, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Paula Seeley: I got the orders sent to me September 23 by another inspector, citing it was a case managed property. I went out with the police and Dionne let us in. found a bedroom in the basement who she rented to someone with excessive clutter, open gas line in the dryer, toilet leaking, egress window blocked. Upstairs found some dilapidation and maintenance issues. Floor tiling missing in bathroom. Holes in doors. Smoke detectors were missing. Since then we have the gas line capped, smoke detectors taken care of, toilet sealed. The maintenance issues are the ones that are left. Cabinets, bathroom ceilings, floors, things like that.*

*Moermond: sanitation?*

*Seeley: that was mainly downstairs. You couldn't even walk. The toilet was leaking so it smelled like sewer. That was where more of the sanitation issues were.*

*Moermond: so item 2 has happened?*

*Seeley: that is resolved. Smoke detectors resolved. Gas line capping is resolved. Dionne has a court date November 1 and then the tenant and her stuff will be moving out.*

*Simmons: hopefully. Court is November 2. She is supposed to find a place to put her stuff. She cannot come back here; she hasn't been paying rent or anything. It was a lot of things going on. I had to call the police a couple of times. She put holes in the walls and wrote on them.*

*Moermond: you said the court date is November 2, that means it is an eviction hearing?*

*Simmons: yes.*

*Moermond: where is she sleeping now?*

*Simmons: I have no idea but her stuff is still here. Judge told us not to touch it.*

*Moermond: so no one is sleeping in the basement?*

*Simmons: no.*

*Seeley: I called Greg because I worked with the property in 2017, I called him before I*

even went in. They have vested interest in it. They own the land and she owns the house.

*Finzell: and we are here to help, just like last time. We will assist with the remaining items.*

*Moermond: Ms. Simmons, Mr. Finzell, what are you looking for in terms of the remaining items?*

*Simmons: I need help with getting the floor fixed downstairs in the kitchen and holes in the walls, and the cabinets. I would need time to do it. My son is a carpenter but he's tired when he comes home. He's worked on the cabinets some and found some wood for the floor. We still need more wood for the floor to go with the wood he already has.*

*Moermond: where are we at with the dryer venting?*

*Seeley: apparently Dionne doesn't use the dryer, but in order to hook it up she needs a shut off valve and to get it properly connected. There is a flexible gas line that was not capped. The shut off valve is farther than 6 feet away, I could barely find it. She will need to do that if she needs a dryer. She needs to remove that line.*

*Moermond: I'm uncomfortable that the dryer is there.*

*Seeley: it should maybe be taken out or properly hooked up with a shut off valve.*

*Simmons: they have a washer and dryer are in one. so, we were thinking about getting that instead of both.*

*Moermond: it sounds like you're looking for an extension. Your son is helping and Rondo Community Land Trust is willing to help as well. What kind of time are you looking for to complete the items?*

*Simmons: a month? Or two?*

*Moermond: Mr. Finzell, what is your timeline with contractors?*

*Finzell: we'll talk to Dionne and her son to ensure they can really do everything but the gas line. Dionne, unless I am hearing you wrong, you should be able to address those?*

*Simmons: I don't know how soon he will get it done. That's what I'm worried about. Aaron has so much to do and when he comes home he's tired. I've been trying my best to get things done.*

*Finzell: ok. We would see ourselves as a backup to Dionne and her son. But we would hope and expect they would get everything but the gas line address. If folks agree to 30 days, we will help to ensure that does get done in that time period.*

*Moermond: tell me about how you do your laundry?*

*Simmons: I go to the laundromat. We don't even use the washer or dryer.*

*Moermond: is that something you would like to use in your own home?*

*Simmons: I am going to do it eventually. I'm working on fixing up the house first.*



Moermond: do you have a washer that works?

Simmons: no. It doesn't work so we go to the laundromat.

Moermond: Ms. Seeley, is this dryer connected? It is capped? Does that mean the dryer is disconnected and movable?

Seeley: yes, it is capped off. I think it is movable. It will be fine, but we should get the dryer out. Maybe Greg can help with that end of it.

Finzell: does the dryer not work?

Simmons: we want to get rid of it. Both washer and dryer.

Finzell: ok.

Moermond: that is one way to become code compliant, as long as the gas line is capped. If it is coming out and it is properly capped, it is taken care of. I'm a little concerned about 30 days based on the way you're saying things are going. Your son has other obligations as well. It sounds like the worst of the items have been addressed?

Seely: yes.

Moermond: I'm going to give you a deadline of December 1, 2021. So a longer period of time, taking into account any supply issues, or that your son might need to take a day to rest.

Simmons: yes. That will work.

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

## 1:00 p.m. Hearings

### Vacant Building Registrations

- 7     **RLH VBR**     Appeal of Madeline Brozen and Mehmet Berker, to a Vacant Building  
       **21-69**             Registration Renewal Notice at 1234 RICE STREET.

**Sponsors:**     Brendmoen

*Waive the VB Fee for 90 days (to January 20, 2022).*

*Madeline Brozen, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Moermond: we'll also do an update from last week since I know we had an appeal of the Vacant Building fee then.*

*Staff report by Supervisor Matt Dornfeld: this entered the Vacant Building program October 20, 2020, about a year ago. A category 1 fire exempt property. There was arson at the property. Rehab is ongoing, we haven't had any nuisance complaint*

issues. I assume we are here to discuss the fee coming due shortly.

Moermond: confirming that last week we talked about the Vacant Building fee for the preceding year, 2020 through 2021. The fee was prorated, reducing it to \$951.67. That would be 5 out of 12 months of that cycle. We talked about notification issues there. You said rehab was wrapping up then?

Brozen: yes, as we discussed last week. The interior is done, we are moving on to the exterior final repairs. We anticipate this saga will close in short order. We're requesting a 90 day waiver on the reregistration because we anticipate we will have our Code Compliance Certificate for re-occupancy in 90 days.

Moermond: the building went into the program October 20, so 90 days takes you to January 20, 2022. I will recommend the Council grants that waiver. So permits signed off by then. Good luck to you.

Brozen: thank you very much.

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

**8 RLH VBR  
21-67**

Appeal of Trent Mayberry, Ridgecrest St. Paul LLC, to a Vacant Building Registration Fee Warning Letter at 1630 UNIVERSITY AVENUE WEST.

Sponsors: Jalali

Waive the VB fee for 90 days (to December 11, 2021).

Trent Mayberry, o/b/o Ridgecrest St. Paul LLC, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Matt Dornfeld: was made a Category 1 Vacant Building September 11, 2017 by Mike Kalis who has since retired. It was sent to us via a Certificate of Occupancy revocation. Over the years we've had a few nuisance complaints, ongoing graffiti which is common in that area, and maybe a couple snow and ice on the sidewalk in the last 4 years. It has been pretty well maintained. I assume we're here to discuss a long term plan for its vacancy and the fee.

Moermond: so your Certificate of Occupancy was revoked in April of 2016. In the Vacant Building program about a year later. What are you looking for today?

Mayberry: we purchased the building about 2 years ago. We bought 2 buildings for the purposes of redevelopment into Bank of America for the pond store, we did that right away. It shares a parking lot with this building. We planned to redevelop, sell or re-tenant. And we've been trying to do that for the last 12 months. We've had a number of prospects tour the building; it has been hard to get anyone to commit. There is a lot of hesitancy as it relates to both Minneapolis and St. Paul because of what happened last summer with the protesting and riots. The perceived increase in violence. There is some environmental contamination with both properties that scares some people off. We have been diligently pursuing remedy for the situation from day one.

Moermond: you purchased July 5, 2019.

Mayberry: we are trying to come up with a solution for the property. Because of that I

*feel like the fee shouldn't apply to us, especially because of the extenuating factors we have no control over. That's the gist of our reasoning.*

*Moermond: this is a cat 1 Vacant Building, so a low threshold to get out. A Certificate of Occupancy and a reuse. Sounds like you are trying to sell?*

*Mayberry: sell or find tenants. We have it listed for lease or sale. We looked at redevelopment for retail but zoning won't allow that. We looked at ripping off part of the façade and re-tenant it, but there are challenges with it being split level. We're open to either.*

*Moermond: it has been in the program for a length of time and the measure for getting it out is re-occupancy. It doesn't need much work. I can look at a waiver but without reoccupation, it has been long enough. It is not a question circumstances have changed and now you don't meet the definition. You still do. I'd be happy to do a 90 day waiver, but I do see development pressure on University. I'm hearing and seeing lots of building permit activity there. Hopefully that improves your lot.*

*Mayberry: is there any way to waive it for a year? I think we'll have a solution by then. I can't speak for the previous property owner, but upon buying it we've been working to find a solution. Which we did for half, 1636. This is just taking a bit longer. A year's reprieve would help. We paid last year and missed the appeal date.*

*Moermond: we don't do that. I've never done a recommendation for a year's waiver. If this Vacant Building fee goes unpaid it goes to assessment, and that is appealable. If the building has been occupied by then I can look at prorating it. So six months down the line it is occupied again, I can reduce it in half. If you remain the owner we can look at making it payable over 3 years. There are other tools then. The main tool now is the 90 day waiver. I recognize you may not have a solution in 90 days but perhaps the six month window and waiting for the assessment. We can have that conversation then.*

*Mayberry: so that pushes the fee out for 90 days and then it would be due?*

*Moermond: if the building is reoccupied by December 11, there would be no fee whatsoever. If it isn't, the fee comes back into play again.*

*Mayberry: we'll try that. We may have it sold within 90 days. We'll give it a go. Any relief is helpful.*

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

## 2:00 p.m. Hearings

### Fire Certificates of Occupancy

- 9 RLH FCO** Appeal of Arnold Kampa to a Fire Inspection Correction Notice at 1084  
**21-149** LARPENTEUR AVENUE WEST.

**Sponsors:** Brendmoen

*Grant to February 1, 2022 for compliance with balance of the orders. Grant to July 1, 2022 for orders related to removal or repair of garage(s), condition upon them remaining secured from entry.*

*Arnold Kampa, owner, appeared via phone*

*Moermond: we had a structural engineer go look at the garages. You wanted more time to pull it together with plans and finances. I am going to say, based on his analysis, the orders are correct, they do need to be repaired or removed. However, I'm thinking if they are properly secured we can go with an extension on that. Are you willing to do that? We are concerned about homeless people, teenagers, getting in and causing trouble.*

*Kampa: I can bar all the doors and make sure no one gets in. We are there every day so we can check it out every day as well.*

*Moermond: both of those things sound great. Some people choose to use clips. Some sort of locking mechanism in addition to the locks already on the doors since those are pretty easy violated by someone kicking it in. Bar sounds like it would work. I'm looking at going out to July 1, 2022 to give you a large part of next year's construction season.*

*Kampa: I talked to the man who did the initial inspection as well as the department of licensing about this regarding the furnace. I can't find anyone to come out and look at it. Any HVAC folks are unwilling to pull a permit, according to Mr. Niemeyer, because then they are responsible for anything that could go wrong. I've called 20 to 30 people. They are either really shady or they don't want anything to do with that. Mr. Niemeyer is aware of this. His suggestion was to keep trying, which didn't help much. I want to get it corrected but is there another way of doing this? I don't understand what is wrong with the hot water heater and furnace. Is it possible for them to show me what is wrong, and could I pull the permit? I cannot find a contractor willing to do that.*

*Moermond: they want to install their own, I'm assuming.*

*Kampa: exactly.*

*Neis: do we know who installed it in the first place?*

*Kampa: they are no longer working and out of state. I could look at the name though.*

*Moermond: there is no permit for the installation, so the question isn't so much as identifying the specifics of what was done incorrectly, that's done in permitting and inspection. The licensed person is the one who is culpable. You're between a rock and a hard place getting that taken care of. What size area does that heater service?*

*Kampa: it is probably a 40 gallon heater.*

*Neis: I do see some concerns with the installation, even though I'm not a professional.*

*Moermond: what are those concerns, knowing you are not a plumber?*

*Neis: I see it looks like there is some x plumbing and it goes into copper and is bent down and the lines don't look properly supported. I also see tape on the joints. Water heaters shouldn't have taped seams at the stack and joints. Those need to be screwed in. Those are a couple of red flags. I would say Inspector Niemeyer flagged it because it doesn't look right.*

*Moermond: so you need an extension on that?*

*Kampa: yes, and direction on how to do that. All I'm hearing is that I may have to buy a new furnace and water heater to get it permitted and approved.*

*Moermond: that may be the case. I don't know. Whether or not a permit is required is beyond my jurisdiction. If you wanted to appeal a building code requirement that would go to the Building Official. We can send an appeal form for that. But as far as my role, I can just give an extension and say we can explain as best as possible but he would make the ultimate call.*

*Kampa: can we extend all of this to July 1?*

*Moermond: no. Let's get this organized. We have July 1 for the garages.*

*Kampa: does that cover the stairway on the North East corner of the bar?*

*Moermond: the ones leading to the basement?*

*Kampa: yes.*

*Moermond: we didn't have that evaluated.*

*Kampa: it is the same problem; I am having a hard time finding anyone to come out. I've been spending a lot of time on the phone to have people come look at it. No one uses the stairway, there's an office down there that used to be an electrical company. It has never been used by the public since 1948.*

*Moermond: I have concerns about anyone using it.*

*Kampa: we have signs up not to use it.*

*Neis: my concern is I respect the fact the public can't use it. My concern is that in the event of a fire this is the primary egress for firefighters. If there was a fire in the basement or they do a search in the building. So I get the public and business doesn't use it, but I'm concerned about an entrapment issue.*

*Kampa: it isn't the primary egress. There is signage saying it is blocked and not in use.*

*Neis: is there another stairway to the basement?*

*Kampa: yes. The building is roughly 30 by 60 feet.*

*Moermond: should the stairs themselves be condemned as part of an extension to deal with it? That would be terminology the fire fighter would be seeing instantly. Or does saying "blocked" do the trick?*

*[AJ Neis shows standard placard that could be modified for the stairs]*

*Moermond: if you could email that to us, we can share it in the letter. Would you like Mr. Niemeyer to put it on the door?*

*Neis: I don't know if we have the template. I'd change it so it doesn't say the building.*

*The property owner could put something similar up, or we could have it posted.*

*Moermond: Mr. Niemeyer will provide the appropriate signage for the owner for how it is identified. That can get an extension—*

*Kampa: that door is dead bolted upstairs and in the basement the only person that has a key to that office the stairway leads to is me and a manager. No one else can even get to it. I've been looking at taking it out and filling it in or fixing it. That's a brand new door upstairs. We had a burglary last year. A week later a burglary through the back door. Now I'm closing at midnight voluntarily because of the difficulty there. I'm shelling out \$3,500 for cameras and getting more security lighting in the lot. Things are adding up quickly and I could use a hand here. I've also been talking to Angela about the STAR program to get a grant or low interest loan. I've been there since 1982.*

*Moermond: we'll do a February 1 deadline for the stairs. That should give you time to work out with Planning and Economic Development folks if there is financial assistance. If we need to have another conversation then if we have to.*

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

**10 RLH FCO  
21-158**

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

Sponsors: Prince

*Grant to July 1, 2022 for repair or replacement of the driveway. Grant to April 1, 2022 for compliance with orders on exterior stairs, conditioned up on them securing doors exiting onto stairs, including signage indicating no exit and securing bottom of stairs to prevent entry to stairs by October 29, 2021.*

*Romulo Nieto, owner, appeared via phone*

*Moermond: we had an inspector go out and check the stairs, and we'll talk about the path forward. I did get the email that you haven't had an engineer out yet.*

*Neito: someone cancelled on the 22nd and I got on the calendar then.*

*Staff report by Supervisor Leanna Shaff: I supplied pictures attached. I found this is not the primary egress for the four units, however it serves as a secondary. The stair tower assembly has many structural deficiencies. Improper joist hangers, improperly installed and used. Split stringers. Broken steps. Posts that are walking away from roof assembly at the top. A repair was made at the top of the tower itself, but it doesn't appear to be sitting on anything deep. It looks like it was put on a couple patio blocks. I have great concern about the structural integrity of this structure and recommend it is condemned for use. I would also suggest the people in those four units have the back doors disabled to prevent people from exiting out onto the stairs.*

*Moermond: so you are ready to move forward with an order to condemn based on that inspection. That wouldn't involve vacating the building because the tenants have another exit route. But, we need them to be clear they cannot go out there. They need to be secured and have signage. What about the base of the stairs? How do you suggest that is blocked?*

*Shaff: I would hate to just put tape across. A board across would be great, plus signage attached. It is tough.*

*Moermond: at least then it is at their own risk.*

*Shaff: a sheet of plywood secured to it.*

*Moermond: so we can buy you some time for repairs but we are doing that by making it so no one can use it until it is fixed. So let's talk about securing those doors and putting signs up.*

*Neito: I think that's a poor decision when he clearly told me it is a solid structure. We are minority landlords in the City and that behavior is discriminatory. The previous landlord was white and he got away with a lot of things. You never even bothered to inspect the property. I'm going to talk to lawyer. That's poor judgment of the inspector. She's been doing this for 20 years, and if other inspectors are behaving like that. You're scaring landlords away from St. Paul because of the behavior of staff toward minorities.*

*Moermond: you're saying you don't trust the inspector's assessment on the condition of the stairs. The assessment she made is consistent with that of the inspector. With respect to credentials to make that determination, Ms. Shaff?*

*Shaff: I'm a certified building inspector in the state of Minnesota. I did put the pictures to my boss, the Fire Safety Division manager and who is an engineer and she concurred with my assessment.*

*Moermond: with respect to a complaint about discrimination, I will refer you to the State Department of Human Rights.*

*Neito: this building has existed for years. The City never bothered the people before who were white. The neighbors said now you own the City is hostile to you. Twenty years doesn't mean anything; are you a person with good judgment? I think that's lacking. I see a lot of homeless people due to poor decision-making. My wife bought this building with good intentions. Before we owned it the police were there every 2 weeks.*

*Moermond: if you come back with an engineering assessment that says it is safe, I'm willing to look at that. I'm looking to make it safe pending that assessment or repairs. I'm trying to make it low impact on your tenants so they can continue to live there uninterrupted. My own viewing of the photos gives me concerns, but I'm not a professional. If you find an engineer who says it is safe, our engineers can review that. I'm conditioning this on boarding the base of stairs and securing the doors at the top. I think that's low impact and will give you the opportunity to repair it in the fullness of time. I don't know what else to tell you.*

*Neito: you've done fine, that's good. I'm just saying the decision-making is scaring away good people. We are nice people. Kids go to school and good stuff. I'm talking about the approach. I understand Inspector Shaff has been doing this a long time and she's involved in politics and I understand where she is coming from. We can't do the same thing for 20 years in 2021. Communication style has to be changed and more meaningful.*

*Moermond: this will go to Council October 27 and this needs to have the boards secured no later than October 29.*

Shaff: no additional concerns.

Moermond: so we have a date and expectation for that securing. Once you get that engineering report, if you think it will help inform my decision, I'm happy to review it and include it.

Neito: regarding the driveway, my wife had to go pay the \$25 again. I need until next summer.

Moermond: I'm willing to go to July 1 for repair or replacement of the driveway.

Neito: that's understandable that's a good judgment right there. The inspector will come out on the 22nd and will let me know what needs to be gone and we'll go from there.

Moermond: that report is advisory to the City. The City makes the enforcement decision. Your first stop is communicating that to City Council, the next step is appeals court.

Neito: discrimination, yes.

Moermond: I cannot engage that. My only concern is public safety.

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

**11 RLH FCO  
21-151**

Appeal of Laurel Hedlund to a Fire Certificate of Occupancy Approval With Corrections at 429 MOUNT IDA STREET.

Sponsors: Brendmoen

Grant the appeal conditioned on continued mitigation efforts in basement. Follow up inspection to ensure effectiveness after May 3, 2022.

Laurel Hedlund, owner, appeared via phone

Moermond: we left things last time talking about mitigation measures for decreasing moisture in the basement. I had the Building Official review the situation between the properties. Construction at 427 happened in 2016. We did have a building inspector go out and review the runoff and assess it contributing to moisture in the basement. He believes the drainage from 427 goes towards the sidewalk and not towards your property. Certainly not enough to affect your property. You could have that privately reviewed as well. He submitted a lot of photos back to 2017. That's what the building inspector says about how that got signed off. I don't know that will play a role in changing what we need to do. You emailed us what you are doing and it is a great start. Things dry out in winter so that should help as long as you continue the mitigation measures. I'd be happy to have them come out in the spring which gives you time for private options.

Hedlund: I'd like to see what the inspector saw.

Moermond: we can get you the photos and things.

Hedlund: it is just not true the neighbor's yard isn't draining into my property.

Moermond: and I'm hearing your roof draining is the bigger concern, particularly looking



at 2007 photos with some evidence of water issues along the side of the building. That's kind of what he's looking at. Now,, could someone else look at it differently, they sure could. We'll get you those photos and assessment.

Hedlund: can they be emailed?

Moermond: yes, exactly. I just got them this morning myself, and I just had a moment to talk to the building official about it. Joanna Zimny will send it with a follow up letter.

Hedlund: I guess I want to dispute that. Obviously water falls on my roof and goes to the ground, but that's existed for 100 years.

Moermond: at some point it doesn't really matter from an enforcement perspective why the water is coming in. The problem is the infiltration itself. If you want to work with the neighbor next door, we want to give you that time. The building inspector sign off, if you wanted to appeal, I'm not even sure if that's appealable at this point.

Hedlund: was the retaining wall signed off on? They pulled the permits in 2016 and didn't finish construction until 2018 because it was for the entire development. So I noticed an issue in 2018, and the dragged it out until 2019 and that's when they told me they weren't going to fix it. So while I was researching that it came up that the permit for the wall, which is on my property, was not closed out. Not sure if that's been closed out. The entire backyard was regraded.

Moermond: the permit was pulled in October of 2016 and it was finalized February 22, 2018. That's the retaining wall.

Hedlund: I'd like to know how to appeal that signing.

Moermond: I can refer you to the Building Official to see. I would say it isn't a timely appeal anymore since it has been 3 years. That's not my area of specialization. We can send you a building code appeal form, but again, I don't have anything better for you than that.

Hedlund: ok, I'll look for that email then.

Moermond: I said we will follow up in the spring on the mitigation, how about after May 3, 2021?

Hedlund: sure.

Moermond: a follow up to see if the mitigation measures are keeping the mold at bay.

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

**12 RLH FCO  
21-156**

Appeal of Erik Holtzclaw to a Fire Inspection Correction Notice at 995 VAN SLYKE AVENUE.

Sponsors: Brendmoen

Deny the appeal and grant extension to November 15, 2021 for compliance (room must cease being used as sleeping room, or compliance by means of egress directly outside).

Erik Holtzclaw, owner, appeared via phone

*Moermond: thank you for sending in the floor plan, it really helped evaluate the situation.*

*Staff update by Supervisor AJ Neis: the middle bedroom where it goes kitchen, kitchen, bedroom and then the porch. There is no second means of egress. The bedroom escapes to the patio, and then you have exit through the door, through the kitchen, and then back again onto that patio. The concern is if there was a fire in the patio, both means of egress for that bedroom are blocked. That is why we can't have an intervening space where it goes to an enclosed porch. I've never been inside, but the slope of the back porch at some point it was open, you can tell by the grading of the floor to deflect water. This is from what we can tell an obvious issue. Unfortunately I don't see another way to create an emergency escape opening.*

*Moermond: I'm going to recommend the City Council deny the appeal and we need to find a date to recommend this room is ceased being used as a sleeping room. You can of course ask them to look at my recommendation and come up with something else. Are there any other unused sleeping spaces in this apartment?*

*Hotlzclaw: I have 3 teachers in there, one in each bedroom. All 3 are taken now. Not really, unless she wants to sleep in the living room. I have a question, when he was talking about 2 means of egress, he was talking about going through the kitchen. There's another door, you can go out the hall to the front door.*

*Moermond: that's one way, it needs another way that's directly outdoors. The porch is considered its own room. The other bedroom in the back has a bedroom directly outdoor.*

*Hotlzclaw: I appealed because during the inspection I asked if I could take the storm windows out, does that count as not being enclosed then? My question to the inspector was can I take the windows out and what makes it qualify as not enclosed. Do you have to take them all out or what? Then he told me to appeal.*

*Moermond: typically taking the windows out, which would mean removing all of them, and turning it back into the old fashioned appearance from before. They are barely framed in, sort of raw looking.*

*Hotlzclaw: I think the previous owner did it.*

*Moermond: if that were to come out and open up the area, that would do the trick. You're asking if it needs to be all or proportion of them?*

*Hotlzclaw: right, or the ones right by her bedroom?*

*Neis: to count it as an open porch, if you reopened it on all 3 sides, that would be an open porch and not an intervening space.*

*Hotlzclaw: can I put screens in, or is that enclosing it?*

*Moermond: having screens is enclosing still. Sorry about that.*

*Hotlzclaw: the window right by the two bedrooms, there are 2 walls right there and then 2 by the kitchen. I have to take all of those out? Or can I do the side with the bedrooms?*

Neis: 7 windows in your diagram, so you're saying the front 5 windows?

Hotlzclaw: if you come out from the kitchen, there are stairs down to the back parking lot, there are a couple there to keep the snow from the stairs.

Moermond: so taking out the 3 front facing windows and 2 on the side.

Hotlzclaw: yes. There is a break between those and the windows by the back parking lot.

Moermond: I can live with that. We'll write the decision accordingly. Those need to come out. The deadline will be November 15.

Hotlzclaw: ok. I'd rather do that than have to kick her out.

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

**13**     [RLH FCO  
21-162](#)

Appeal of Robert Olsen to a Correction Notice-Reinspection Complaint at 1008 LAWSON AVENUE EAST.

**Sponsors:**     Yang

Layover to LH October 19, 2021 at 2 pm (unable to reach PO; hearings went long).

No one appeared

*Voicemail: this is Marcia Moermond calling about your appeal. My apologies we are running long today, we will reschedule this to next Tuesday between 2 and 4 and we'll try and make it closer to 2. My staff will confirm, and again my apologies.*

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

**14**     **RLH FCO  
21-166**

Appeal of Travis Temke to a Fire Inspection Correction Notice at 828 OTTAWA AVENUE.

**Sponsors:**     Noecker

Grant to January 1, 2022 for compliance.

Travis Temke, owner, appeared via phone

Moermond: sorry that I'm calling later than what we anticipated, it has been a busy afternoon. [Moermond gives background of appeals process]

Staff report by Supervisor AJ Neis: is a Fire Certificate of Occupancy correction notice that was issued. It was inspected and received a class A grade, however one of the items identified by Inspector Powers was the ceiling on the upper floor was only about 6 feet high. There are photographs in the file. It doesn't appear there were any permits previously when I looked. Basically the second floor is being used as a bedroom and the code requires 7 feet for those spaces. It is 6 foot 2 inches.

Moermond: and just so I am clear, Mr. Temke, this particular item is covered in the Legislative Code but also in the State Building Code which trumps the City's code. So I can make a recommendation for coming into compliance but I cannot waive this

requirement for you. That involves another process. I'm wondering, you have someone living up there, using it as a bedroom. Tell me about your circumstances.

*Temke: when we purchased the property it was sold to us as a 3 bedroom. We realized it was a lower than normal ceiling height, but also knew it was always used as a bedroom. The owner was a prior neighbor, she passed and we purchased it. We have a tenant, a younger couple with four kids. The fourth is a newborn, long story short is they are happy here, there are windows on each side of the room. There is closet space, AC, and heating. It is a livable space. It looks like any other room. I hate to displace them; they can't live in just 2 bedrooms with four kids. My goal is them to keep them in place so they don't have to find a new place to live. I'm trying to be as transparent as I can.*

*Neis: if you look at Ramsey County tax records, it does say 2 bedrooms, 1 bedroom with a full finished attic. So it doesn't indicate a bedroom upstairs. That information is available online. I totally understand it is a beautiful space, our concern is the life safety issue. It may look safe, but the concern is smoke buildup. Smoke rises, it hits the ceiling and then banks down again. A low ceiling height, especially in a sleeping room, smoke will fill the room even faster in the event of a fire. This is especially a concern in an attic since it is the highest room in the house. And again, tax records indicate the attic is finished but not that it is a legal bedroom.*

*Moermond: we do have people in there and I'm going to give you an extension and that will give you time to work with an appeal to the Building Official who has jurisdiction over that part of it. Unfortunately, six feet is significantly less than the requirement. I'm going to recommend through January 1 and we'll email you a follow up letter and attach the appeal form. There is no charge for that. Just fill it out and submit it and hopefully get some information that way. I have to pass the buck on this one unfortunately since building code prevails.*

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

**15**     [SR 21-165](#)

Review Request for Extension in the Appeal of Steve Basco to a Fire Inspection Correction Notice at 821 CONWAY STREET.

**Sponsors:**     Prince

*Grant an extension to December 1, 2021 for compliance with items 6 and 7 related to the fire rated construction.*

*Steve Basco, owner, appeared via phone*

*Moermond: I'm sorry we're calling later than we expected. Can you still talk about this appeal for Conway?*

*Basco: I have a meeting at 4:30. Can I do it tomorrow?*

*Moermond: I can make it quick. I've reviewed your extension request and we can go to December 1, 2021. We'll confirm by letter.*

*Basco: ok perfect. I'm working with Angie in Fire who approved the specs, we just need the supplies. We should be pulling permits soon.*

**Received and Filed**

**Orders To Vacate - Fire Certificate of Occupancy**

16 RLH VO 21-42 Appeal of Song Xiong to a Fire Certificate of Occupancy Revocation and Order to Vacate at 30 ACKER STREET WEST.

Sponsors: Thao

*Recommendation forthcoming.*

*Song Xiong, owner, appeared  
Koua Vang, wife of Song Xiong, appeared  
Xoe Herr, tenant, appeared  
Maiker Vang, interpreter, appeared*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Leanna Shaff: the last, and first, Fire Certificate of Occupancy was approved April 24, 2015. The previous responsible party update was May 16, 2015. In March of 2020 Inspector Franquiz sent out appointment letters for inspection. He notes on the April 27 inspection, no show, no access. I knocked on front and side door, no answer. He also notes he waited 25 minutes and sent 2 appointment letters on the same day to two different addresses to ensure someone got the appointment letters. The first inspection was done by Franquiz on May 27. There were 17 items, earning the property a grade C. The next inspection on July 1, 2021, I conducted as a follow up to Franquiz's inspection as he was out on an absence. I abated all but 3 deficiencies. I was met by Ms. Herr, the tenant. I noted on the report the permit for the water heater had been pulled but not inspected. Other deficiencies were the smoke detector affidavit and repair the back bedroom ceiling. I also added to the orders that the living room ceiling needed repair. It wasn't on the original order. On July 22 I called the property owner to verify a time for the inspection. The property owner says he never got the letter, but we had no returned mail and he has not updated his address with the Department of Safety & Inspections. I gave him 2 weeks to get the work done, sent out the new orders, and included a change of information form with the corrections letter. On August 4, 2021 I arrived at 9:48 am and was met by a male at the side door at 9:55 am. He said he lived there when I asked. The work was not complete. I waited in front for the property owner to show, and then left at 10:15 am. The plumbing permit for the water heater was finalized on August 5, 2021. On August 30, again the property owner was a no show. I waited 15 minutes and left. I sent letters to property owner and occupant. No returned mail on either letter from the last inspection. On September 14, 2021 the property owner left me a message to cancel's tomorrow appointment and reschedule to October to get the roof done. That was at 9:27 a.m. I called the property owner at 9:39 am and explained my orders don't have the roof, but the ceiling. I told him I wouldn't reschedule as it had been going on too long and encouraged him to appeal. He told me that I'm too picky and he pays me through his taxes. I told him again he hasn't complied with orders, even the change of information and the smoke detector affidavit, which I have mailed to him a couple of times. He continued to argue. I told him I expect someone to meet me for the inspection tomorrow and he can appeal my orders. On September 15, 2021 Inspector Der Vue writes, she accompanied Supervisor Leanna Shaff for inspection. It was unsuccessful. Waited 15 minutes. Multiple knocks on doors with no response. The appointment was for 10:30 a.m. I wrote on the same date, September 15, accompanied by inspector Vue. No show again. Will mail letters to Responsible Party address and tenant. Note no returned mail from any letters. On that date we revoked the Fire Certificate of Occupancy with a reinspection to be made September 30. On that inspection I was met by the property owner and that's the first time I had met him. I believe it was his wife with him, and the tenant Xoe Herr. The ceiling work was not*

done. I said at the end of the inspection I would consult with my boss, fire safety manager Angie Weise, about the state of the revocation for long-term noncompliance. I wrote the letter and we'd decided it was in the tenant's best interest, since it was not a life safety issue, to extend the revocation for another month.

Moermond: what I'm seeing right now is a set of orders that has basically one item left, having to do with ceiling repair. It would appear the vast majority of the required work from the May 28 orders, were addressed on the July 1 reinspection. A lot got done, down to a small amount and there is dispute over the professional state of how that work was done. Sounds like there hasn't been good communication around where the orders were sent. Because some of the work was done, and there was no returned mail, it seems like you maybe got it. It has been 5 months since the cycle started, that's a long period of time. One item left in addition to the revocation, what are you looking for today? An extension?

Xiong: can I present to you on the matter of miscommunication and not connecting in an appropriate way, can I talk about that?

Moermond: you can, but let's be timely about it.

Xiong: if I can't do it today, maybe we need to reschedule.

Moermond: I didn't say that, I already said we had two addresses on record and some comments. If you have something to add you certainly can. I want to focus on the one item left. We can argue about the past, but I want to focus on today, next week, the revocation, the vacate date. The future items and getting out of the situation we are in now. Part of me wants to say this is water under the bridge.

Xiong: but I would like to present to you from the beginning to now, how the communication flowed from me to the inspector so you can see how each of us understand differently.

Moermond: I was actually thinking I got too much information from the inspector on this already. Please connect it to the present.

Xiong: I would present as short as possible however I would like to tell you, you gave her the opportunity to present why won't you give it to me?

Moermond: we've been talking three minutes about this now and I haven't heard anything about it yet. Please go ahead, and please connect it to the present.

Xiong: I bought this house in 2009 and it doesn't have a lot of "differences" in it. I already moved from my old address to the new one in Coon Rapids, you keep sending to an old address and not the old one.

Moermond: I see letters going to an address on Partridge in Coon Rapids and on Topping in St. Paul. Double letters.

Xiong: the first officer wrote letters to both my old address and new one, I got those. However, since she started on this case she always sends letters to the old address, never to my new. The reason I called and left a message for her and ended up arguing about this issue is because she made a threat and said she is going to do a criminal charge against me for a violation. I'm not sure if it is felony or misdemeanor. I think she didn't want to pass the ceiling and she did this to make it worse so she won't approve the inspection. To clarify, she told me that the reason I didn't notify I moved

from my old to new address and she wanted to press charges for criminal violation. I make a note asking why you aren't sending a letter to my new address, just the old one. The first officer already knew my new address, and he sent it to the new one. Then she made the claim she is a Supervisor and doesn't have time to check this information. I just want to let you know that because she and I argued about the situation, out of her emotions she didn't pass my work. That means the inspection of this home may not be fully approved due to her emotional issues against me.

Moermond: I am going to say that is crossing a line in my view. I'm looking at photographs and because it is under appeal I'm making the determination now. Making an accusation about how she came to the conclusion that she did I think it would be equally inappropriate if you were saying that out of your own emotional problems. Let's just not say those things about each other.

Xiong: the wooden cabinet was never assessed and then she added those to the list. How can she add things to the list when it wasn't assessed? Even though this may be the ceiling, maybe she will keep adding more and more. In this case it would never be finalized.

Moermond: and I am going to stop and say I have reviewed these orders from beginning to end and I'm looking at this particular item that is left. It has been on the orders since May 28 and July 1. I haven't seen anything else come up. Please, let's move on. What are you looking for today?

Xiong: I have some videos and photos I would like you to look at just to clarify. When the officer came she stayed out in the car 30 minutes, and then she came into the house and looked 1 minute. She can't really assess the back bedroom; she didn't know I went and fixed it already. Then she made a note that I cannot fix it. I would like to ask how she didn't know I did professional work when she didn't even go assess what I did? The way I look at it is she is using her status to control the situation and to make the case worse. It isn't working well for me. A couple of times she sent a letter and I asked the tenants to wait and the officer never showed up. This is the problem, that is why it has been 5 months. Based on your policies and procedures, even though the tenant's open the door, the Fire Inspector is supposed to do the work, right?

Moermond: I know you told Mai Vang yesterday that you had a video and I'd asked last week that that be submitted in advance. It wasn't. I'm disappointed because that means I can't come to a conclusion today because I wasn't able to review it.

Xiong: I did talk to Mai and I tried to send it to an email but it is 20 minutes long so I couldn't send it. I need to put it on a flash drive and maybe send it in. Even though you can't make a decision today I request you review this information and can reconsider another time.

Moermond: I'm not clear yet what you are looking for. Are you asking me to say the repairs are adequate? Or are you asking that the Certificate not be revoked? You haven't stated clearly yet, nor did you in your appeal, what your issue was exactly.

Xiong: one of the requests today is to present to you that I completed the repairs the best I can and I request you do not revoke the Certificate. Please take a look at the information and possibly approve the situation so I can go on. I did start working on this home since the "Code 2" incident until now. I did a lot of work and I need the approval.

*Moermond: did you want your wife or tenant to testify? Do they have comments?*

*Xiong: my wife does not need to present but I need the tenant to present about the day she was waiting and the inspector never showed up.*

*Moermond: what day was this?*

*Herr: I believe it was September 19 or 15. On that date I had surgery so I was home, but I didn't hear any knocking. I didn't see Ms. Shaff at all. I was just resting because I had just had my surgery.*

*Moermond: alright. Anything else you want me to be aware of?*

*Xiong: no.*

*Moermond: it appears you used spackle to do the repairs, or some kind of plaster, rather than replacing the ceiling tiles. Most people would just buy new tiles at Home Depot. Why did you make that choice?*

*Xiong: in the living room ceiling it has cement on top, so I had to do it this way. In the bedroom the ceiling looks like this material, the drop in, it became puffier so I had to do it the way I did.*

*Moermond: where I'm going is most people would have bought a new piece to replace the "puffy" piece. That's what looks unusual.*

*Xiong: first of all, the roof itself I already replaced everything. The ceiling, if I remove one piece everything is all glued together so it is very hard. That's why I did it this way. I asked the inspector to look and she never did. The tenants said the same thing, that she never went and inspected. The roof is already replaced, it is just the ceiling that looks that way. If I replace one piece the whole ceiling would come down. It isn't one piece at a time.*

*Moermond: and I am looking at photographs taken September 30th. Those photographs do show that the inspector had eyes on it, at least that day. The conditions in both of those rooms. We'll take a look at the video and get an answer to you in writing hopefully within a week.*

*Xiong: this is my information; I request you look at it and I also need a copy back. I would like to present this to you.*

*Moermond: Ms. Vang will make a copy and give it back to you.*

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