



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

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

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Tuesday, February 1, 2022

8:30 AM

Remote

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### 8:30 a.m. Hearings

#### Special Tax Assessments

- 1 [SR 22-20](#) Review Request of Carolina Sanchez for a Review of an Appealed Special Tax Assessment for Property Clean Up Service during June 15 to 30, 2021 at 1399 THOMAS AVENUE (File No. J2202A, Assessment No. 228501).

**Sponsors:** Jalali

*Continue PH to August 24, 2022. If no same or similar violations, reduce assessment from \$322 to \$161 and make payable over 2 years. If approved, make payable over 4 years.*

*Carolina Sanchez, representative of estate, appeared via phone*

*Moermond: I'm calling you about an assessment for your parent's property at 1399 Thomas. We spoke before but let me give you the background again. [Moermond gives background of appeals process]*

*Staff report by Supervisor Lisa Martin: this is a cleanup for tall grass and weeds June 16, a Summary Abatement Order was issued to cut and remove tall grass and weeds before June 22. The grass was not cut, the crew did go out and cut it which led to an assessment of \$322.*

*Moermond: and I did watch the video and I did see tall grass and weeds present and removed by the crew. What are you looking for today?*

*Sanchez: they said there was a lot of tall grass. I never received a letter and I had our mail on hold at the post office. We didn't move back into the house until the end of August. Mai Vang, who I talked to few days ago, said she talked to Matt Dornfeld who said he spoke to me on the phone about it. No one ever talked about it with me. I never got a letter; we checked the mail every couple days at the post office. I never got anything until I got the letter in the mail for the assessment. There were some neighbors, and my stepson came with his mother to cut the grass.*

*Moermond: not that time. I saw long grass in the video. It was pretty bad.*

*Sanchez: Mai Vang said that people reported it. We have neighbors and a lot don't call. I don't know why she said that.*

*Moermond: and an inspector goes by a couple times a month and they may have seen it too.*

*Sanchez: it is not vacant.*

*Moermond: we're not going to have that conversation again. Legal notice happened. You are the property representative, but it is still in your parent's name. Honestly, I looked at the situation and I'm more concerned about a couple other things than I am about this assessment. You still haven't changed the property into your name, often that is delayed because of delinquent taxes. The County won't change the title until taxes are caught up, and that's the case for you.*

*Sanchez: right, and I didn't know anything about it until Mai Vang told me.*

*Moermond: and that's a problem. That means you haven't tried to change the title either, because that would come up right away. Then notices would go to you.*

*Sanchez: I'm still working with a lawyer on a lot of this.*

*Moermond: if they didn't identify that then you have a bad lawyer. You may lose the property due to delinquent taxes. I wanted you to be aware it is about \$8,000 and you have more taxes coming.*

*Sanchez: I talked to my daughter and step-son and told them. We're talking about what we're going to do here. My mother died, then the house fire, then everything else. It has been a lot of stress.*

*Moermond: yes, it has.*

*Sanchez: then a girl broke into the garage and stole my parents' stuff. She got arrested. She went to court once. She didn't show the second time. She got arrested again this past August. It was supposed to go to court November 3. Another bench warrant. I keep calling to see if she's been caught yet. They say no, they will notify me. She took a lot of stuff. They're making excuses. They wanted me to settle. Her lawyer said she will plead guilty to the robbery and what she stole, but she never showed. No one is doing anything about it.*

*Moermond: and was there insurance to help you out there?*

*Sanchez: with the fire? We're still working with them. This lady just keeps saying she wants receipts for everything. We have to go through old records to try and find them. I'm very disgusted. She wants us to write down everything we had and in what area we had it. What the value is. What model numbers are. I asked how she expects us to have that when it was in files that got burned. She said I will have to fight. Still working on it.*

*Moermond: keep fighting the good fight there. I think that you need to reach out to Ramsey County, maybe with your lawyer. I don't know if you can enter into a payment plan on those taxes or not since it isn't in your name. I think you need to explore that. You may have to pay all the past due taxes. Talk to them and make sure. Last time we spoke you didn't have a good source of food. You were food insecure. What is your*

*grocery situation these days?*

*Sanchez: we're still struggling. We're going to food shelves.*

*Moermond: are you managing?*

*Sanchez: yes. My daughter has cut back on her work so we're going to apply for SNAP again.*

*Moermond: you should get on that. For the assessment, honestly, the work needed to be done. The mail went out. Nothing came back to the City.*

*Sanchez: we've had lost mail. They lost a couple death certificates I had ordered. They don't know where they disappeared but I have it on hold there. I have it so you can see what mail is coming, even my daughter verified. We go there and there is nothing.*

*Moermond: the fact is it was being held and it is in your parent's name and the post office is having trouble. The property isn't being maintained. I need to look at the City's costs incurred.*

*Sanchez: we're back in the rebuilt inside. We are shoveling and all that.*

*Moermond: I'm going to ask the City Council to look at this again at the end of the summer, August 24. If you haven't had any other problems with the City doing cleanups, I'll recommend it is cut in half and payable over 2 years. Otherwise it will be approved and payable over 4 years. Get on top of the taxes. You don't want to lose a house over \$8,000 in taxes.*

*Sanchez: my dad worked hard to pay off the mortgage, I can't lose it.*

*Moermond: take care of yourself.*

#### **Received and Filed**

## **2 RLH TA 22-35**

**Ratifying the Appealed Special Tax Assessment for property at 126 NINTH STREET EAST. (File No. J2201B1, Assessment No. 228108)**

**Sponsors:** Noecker

*Approve the assessment.*

*Allen Kremer, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Lisa Martin: this was regarding 484 Robert Street. The St. Paul Police Department was called for an emergency boarding after a robbery at 12:35 a.m. The cost is a total proposed assessment of \$472.*

*Moermond: I noticed in the police report that the caretaker of the property was advised of the incident but I don't know whether that was at the time or later. So they went out and didn't find the burglar and called in a contractor to secure the site before they left.*

*Kremer: a bad person broke a window, took a \$3,200 bike, and left the scene. The owner of the bike shop said if he would have thought of it he'd have taken the pedals*

off. But from the standpoint, I guess I feel the City did the right thing by boarding the window to protect the rest of the property. I don't know what to say. If we need to pay I guess I'm happy to. I wasn't sure who okayed---whatever. It was necessary.

Moermond: they often call right away to secure the building because they need to be ready to leave the scene in case there is another crime they need to get too. From the report it looked like police arrived around midnight.

Kremer: I don't know what to tell you. Whatever you think is right, Marcia.

Moermond: normally people would file this with their insurance. I don't know if it's the bike shops insurance or your building's insurance.

Kremer: I think they had insurance. They are gone now. That's another story. Good people. They paid for the window. I'd pay for the thing with the City. I painted the window the same color as the rest of the trim. Whatever you recommend I'll go with.

Moermond: I'm sorry the bike shop is gone. I'm kind of stuck saying it is a private property responsibility in this, so I'll recommend approval of it.

Kremer: can I pay it instead of it going on the taxes?

Moermond: absolutely. The Council hears this February 16 and within a week or 2 you'll get an invoice. You can pay it or let it go onto your taxes.

Kremer: I'll take care of it.

**Referred to the City Council due back on 2/16/2022**

**3 RLH TA 22-42**

Ratifying the Appealed Special Tax Assessment for property at 126 NINTH STREET EAST. (File No. J2202B1, Assessment No. 228110)

Sponsors: Noecker

Delete the assessment.

Allen Kremer, owner, appeared via phone

[appeals process given on earlier appeal]

Moermond: this one is more dramatic than a break in.

Staff report by Supervisor Lisa Martin: this was on 126 Ninth Street for an emergency boarding. St. Paul Police Department was called to the address to apartment 7 for a medical. When they arrived they found a deceased party. It was an emergency board up to secure the unit. Total proposed assessment of \$552.

Moermond: do you have copies of these police reports?

Kremer: no, but I know what happened. It wasn't good.

Moermond: in this case, when it is a welfare check, I tend to ask the Council to delete these. I think a welfare check and making sure someone is safe and that public safety concern takes precedence. I will recommend this one is deleted.

*Kremer: thank you very much.*

**Referred to the City Council due back on 2/16/2022**

**4 RLH TA 22-32** Ratifying the Appealed Special Tax Assessment for property at 1802 ROSS AVENUE. (File No. VB2205, Assessment No. 228804)

**Sponsors:** Prince

*Continue PH to April 20, 2022. If permits are finalized by April 15, 2022 reduce assessment from \$2,284 to \$1,142.*

*Peter Yahiayan, contractor, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Lisa Martin: this is a Vacant Building Category 2, has been since September 1, 2010. This is the annual Vacant Building fee. Total proposed assessment of \$2,284. I am not showing the permits have been closed. Several are still open.*

*Moermond: what are you looking for today?*

*Yahiayan: we understand it has been vacant for a long time, I have permits and did speak to you last year. We were hoping to get it done last year but had issues with some contractors. I have ongoing legal issues I'm dealing with. Now it is slated to continue in March when the weather breaks. We can't get people to work on the outside since it has been so cold. We've been maintaining the property. I'd like a reduction in the fine. We know it is vacant, but due to the ongoing costs I'd like a reduction in the bill.*

*Moermond: what am I hearing in terms of finalized permits?*

*Yahiayan: we're starting again March 1, and we should be completed less than 45 days at the most. We want to rent it; we aren't selling it.*

*Martin: January 11, 2022 the City work crew did abate snow and ice from the property. That will be forthcoming.*

*Yahiayan: we did get that notice but we took care of it. I had them take photos. I've been having issues with the neighbors blowing piles on the lawn. We have a snow contractor to maintain. That is a separate issue I'll have to deal with.*

*Moermond: the City shouldn't be in the business of sending the letters at all. Here's what I'm stuck with. The Vacant Building fee covers the period of September 1, 2021 through 2022. Right now we are 5 months into that year. Often, when someone is six and sometimes 7, I would cut it in half. You're going to be at the 8 or 9 month mark and it is not my practice to reduce assessments when they get to that point. It is too far along in the calendar year.*

*Yahiayan: we are doing everything we can. The ongoing legal issues aren't the City's problem, but I drive from Detroit every few months to get things done. We spent a lot of money to get the roof done. We tried to pull all the permits we can, we have the final water and gas permit to get heat into the property so March 1 it is ready to get done in the 30 day goal. I am working with Veteran Affairs to secure a rental for Veterans.*

*That's what I do in Detroit, provide Vet housing apartment units.*

*Moermond: this is just taking is really far into the year. It is five months in now. If you can get it done by April 15 I'll recommend it is cut in half. If you aren't done I'll recommend it is approved in whole. I'll put it in front of Council April 20. If you're done by the 15th it will be cut in half, if not, it will be the full amount.*

**Referred to the City Council due back on 2/23/2022**

## 10:30 a.m. Hearings

### Special Tax Assessments

- 5      **RLH TA 22-31**      Ratifying the Appealed Special Tax Assessment for property at 141 WINIFRED STREET WEST. (File No. VB2205, Assessment No. 228804)

**Sponsors:**      Noecker

*Reduce assessment from \$2,284 to \$571.*

*Rebecca Cecil-Fisher, owner, appeared via phone  
Shirzad Raimi appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Lisa Martin: this is an unpaid Vacant Building fee. It was opened June 18, 2020. Sale recorded with Ramsey County September 10, 2021. The renewal letter was sent to Safeguard in valley view Ohio, a place in North Oaks, and a place in Utah. Also sent to Lauren and Rebecca Fischer at 141 Winifred. Category 1 Vacant Building that was occupied as of October 22, 2021. Don Maida appealed this Vacant Building and it was adopted June 23 and denied with a waiver to September 18, 2021. Total proposed assessment of \$2,284.*

*Moermond: I have a Vacant Building fee that covers June 2021 through October 2021. Basically a 4 month period. Noting that, I'll turn it over to Ms. Cecil Fisher and Mr. Shirzad.*

*Raimi: it was a Category 1 and when it was purchased it wasn't vacant anymore. But we decided to do more work, so there were painters there. We remodeled and sold it; the buyers got the letter so I wanted to see if there is anything you can do to help out. We flipped it and lost close to \$15,000.*

*Moermond: I think you are familiar with the Vacant Building program and painters being there doesn't mean it is no longer vacant. Taking that into account, and that it was occupied as of October 22. I am happy to recommend this is reduced from \$2,284 to one fourth the fee, \$571. I will make that recommendation. If you are looking for a further reduction, that would be from the City Council itself.*

*Raimi: that is fair. I appreciate it.*

**Referred to the City Council due back on 2/23/2022**

- 6      **RLH TA 22-49**      Ratifying the Appealed Special Tax Assessment for property at 115

ACKER STREET EAST. File No. CRT2206, Assessment No. 228205

**Sponsors:** Brendmoen

*Reduce assessment from \$363 to \$206.*

*Salim Ntambwe, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Leanna Shaff: this is a Fire Certificate of Occupancy for a Single Family Home. The cost is \$206, service charge of \$157, total assessment of \$363. We had appointment letters May 10, June 23, and July 21 of 2021. Correction orders on 8/6 and 8/19 2021. Billing dates of 9/21 and 10/21 of 2021. No returned mail. Mail was sent to Salim Ntambwe in Monticello. My understanding is that is also where the bills went, however the letters, not the bills went to 3436 Lambert Ct in St Michael. Mr. Ntambwe, which is correct?*

*Ntambwe: 3436 Lambert Ct. Has been for six years.*

*Shaff: given the letters went to both addresses, but the bills didn't go to the St. Michael address he could have assumed it was going to the right address. I'm going to recommend the service charge is removed.*

*Moermond: so down to the original bill amount before you even speak.*

*Ntambwe: yes, that is what I was looking for. I did call the City twice after not getting the bill and it was pending. Before that the appointment with Mr. Cassidy was cancelled twice due to the letter being sent to the same 1245 address. He did try to fix it but it wasn't letting him update to 3436. If I can get the bill to the Lambert Court address I will pay it immediately.*

*Moermond: because it is now an assessment, the City Council will look at it March 2, and I will ask them to reduce it from \$363 to \$206 and within a week or 2 you will get a new invoice for that amount.*

**Referred to the City Council due back on 3/2/2022**

**7 RLH TA 22-53** Ratifying the Appealed Special Tax Assessment for property at 455 COMO AVENUE. (File No. CRT2206, Assessment No. 228205)

**Sponsors:** Jalali

*Approve the assessment, make payable over 2 years.*

*Teresa Willmus, partial owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Leanna Shaff: this is a Fire Certificate of Occupancy fee appeal. S1 warehouse for unpaid Fire Certificate of Occupancy fee. Total proposed assessment of \$346. I received an email from Mai Vang about this. We have appointment letters on February 4, April 7, April 12, June 24, July 7, July 26 and July 30, 2021. A correction letter of August 12 and compliance date of September 14. Billing dates of September 16 and October 18. No returned mail. Then it gets complicated. February 4, April 12, June 24 and July 30, 2021 appointment letters were*

sent to Blaine Hebert PO Box 40528 in St Paul, MN 55104. February 18, 2021 appointment letter sent to Paul Panion 1572 Gershwin Ave, Oakdale, MN 55128. April 19, July 7, and July 26 appointment letters sent to Paul Panion Trustee 1572 Gershwin in Oakdale, MN. We received a change of address August 12, 2021 so the August 12, 2021 deficiency letter and billing were sent to Teresa Willmus/Blaine Hebert at 226 Minnesota Avenue in Roseville, MN. There are 2 Certificate of Occupancies at this address, this is for the west property

Moermond: why are you appealing?

Willmus: property owner should read as 50% Blaine Hebert. I've gone to Ramsey County and showed them the original purchase documents. Blaine Heber is 50% owner of the whole building. Paul Panion is 25% and his wife, who isn't capable of business transactions due to a stroke, is 25% owner. After her OD and stroke they got a family attorney involved who did these trusts because it is a blended family. Some bio children of his are in a trust, some of hers. But Paul and Francine as a married couple make up 50% ownership. Blaine is the other 50% owner. Mail gets directed to the Gershwin address because for some reason everyone thinks Paul is the owner. Blaine actually lives in Arizona and has been in 2019. He is homesteaded in Arizona. I am his legal partner; we aren't married but we've been together 18 years and reside in the houses together. That P.O. Box the initial letters were sent to has been obsolete since 2019.

Moermond: I wanted to let you know that Ramsey County taxation lists the fee owner, the person who owns the title, as Francine A Panion trustee at 1572 Gershwin. And lists the owner as Paul Panion and Blaine Hebert also at the Gershwin address. Those are the legal addresses the City relies on for tax assessments. As far as inspections, it sounds like you're the right person. And they have your name and address.

Willmus: that changeover transpired once we returned from Arizona the first week of July 2021. I met with the Fire inspector and confirmed that he has my current mail and email address. We made the improvements, passed the Certificate of Occupancy and then we departed for Arizona. That October statement, I don't know if it made it to Arizona. I never saw the \$180 invoice. We returned to Minnesota for the holidays and have been stuck here since Blaine got Covid for 6 weeks and my 87 year old mother has some stuff. I'm stuck here again instead of sending her to transitional care. My plea to you would be since I'm kind of broke if you could eliminate the service charge. I know there has been a lot of paper pushing and mix ups on this. I'd really appreciate it. As far as the identification for taxation, you're exactly right. The title documents state otherwise. I'm not sure why they get mixed up on Plato. Part of it is psychological for the Panions. He wants people to think he owns everything. I'm glad you have the 226 Minnesota address. I understand you only send addresses to one person. Can I give a second address since there are two Certificate of Occupancies?

Moermond: it would be easiest for you to fill out a form, we can email that to you for correcting the other property. I'm struggling, did the City make a mistake in sending the bill where they did? It didn't sound like they did.

Willmus: they didn't if it went to 226 Minnesota. When I put my mail forwarding in to Arizona, I was already back in Minnesota. The postal service isn't exactly fast.

Moermond: when did you say you went?

Willmus: we left for Arizona October 5 and we were already en route back home early



November.

Moermond: and we have a September 16 billing date. That was sent well in advance of your trip. The second one was the final notice October 18.

Willmus: I had already forwarded my mail to the Arizona house because the postal service is turtle slow. They have multiple carriers for the same route. It takes them 10 days to figure it out. I didn't get any invoices for it. They could be sitting on my table in Arizona. My daughter has been getting mail from the P.O. Box so it doesn't overflow but she doesn't go through the mail.

Moermond: if the City had made an error or even a partial error I could maybe reduce. I'm not seeing one. I hear you don't have the money now. I can make this an assessment over a couple of years. I know you aren't due for an inspection for a few years, so you won't have another fee for a few years.

Willmus: we have a bunch of properties and they do them at the same time. It is like \$1,000 bucks. Then the Ramsey County stuff on top of it.

Shaff: renewal date is August 2024.

Moermond: so there wouldn't be a new bill for a Certificate of Occupancy until 2024. I'm going to recommend the Council makes this payable over 2 years so it is a small amount to pay each year. If the City made an error I would look at it differently, but I'm not seeing that. The Council may look at this differently than I do.

Willmus: my perspective as a property owner is we have a 7 billion dollar surplus. Our taxes are too high on these properties. We can't even lease them out for a dollar amount that gives you an ability to even go to the grocery store once you pay all these fees. They are overtaxing people and it is only affordable for the huge conglomerates. It is a difficult situation that a lot of residents in this County are put in. I've been behind on taxes for years.

Moermond: the cost recovery for the inspection is about 75% and taxpayers pay the other 25%. I get where you are coming from.

Willmus: I am one of those taxpayers. Our taxes are \$40,000 a year. I'm too old to shovel snow and drive skid steers all night. All of these fees add up. Xcel is through the roof. Unless you are flat broke and on assistance you don't qualify for energy assistance. It is a bad system for the person in the middle. You benefit at the way top and the bottom. Not for us in the middle.

Moermond: I want to let you know that your comments are important and elected officials need to hear about your experience. When this goes to Council we put the notes from this discussion and I would also invite you to send an email or testify in front of them with the costs you are experiencing. You'll get an email from Joanna Zimny, you can work with her about that.

Willmus: what it gets down to is Francine Panion isn't all there in the head but she has some family attorney that keeps filing paperwork with the County and they keep listing Paul as the owner. Then he calls and harasses me that he's getting the statements for me. I keep telling him if he'd tell people the truth they'd mail the stuff to us. I don't know what he is trying to do, but he wants people to think he's the only owner. It took the fire inspector six months. If he complains he is getting mail for us he needs to stop

*pretending he owns the property. We don't have a mortgage. But you see what I'm saying about the percentages?*

*Moermond: and there's nothing I can do about this. That's a private civil matter between you folks.*

*Willmus: look how many notices go out. His wife, who has the vocabulary of 3 words now, probably checks the mail and does who knows what.*

*Moermond: and we've discussed where these were sent.*

*Willmus: please email them. USPS has big problems. That's why there are FedEx and Amazon.*

*Moermond: and the City's system hasn't been set up for that. Hopefully the state's surplus will help. You are more than welcome to submit additional comments.*

**Referred to the City Council due back on 3/2/2022**

**8 RLH TA 21-481 Ratifying the Appealed Special Tax Assessment for property at 575 BRAINERD AVENUE. (File No. J2204E, Assessment No. 228303)**

**Sponsors:** Brendmoen

*Approve the assessment.*

*Rolando Aguilar, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Lisa Martin: basically these are both for 575 Brainerd for excessive use of inspection between July 6 and July 13. There have been over 9 ECs on this property already. Compliance date of July 6, July 13, rechecked July 14. Total proposed assessment of \$279. Quite a bit of history at this property for garbage and vehicles. The second one is the same thing with a billing of March 22 to April 21, 2021. No returned mail on this. Total proposed assessment of \$157.*

*Moermond: Mr. Aguilar, you represent North Real Estate, LLC. Why are you appealing?*

*Aguilar: the people living there I couldn't evict due to the pandemic. They were brought in by a person doing painting there. They didn't have a lease. I didn't even know these people or let them in. The police said I couldn't do anything; it was a civil matter. They didn't have any lease. They aren't paying rent or utilities and they are destroying my property. The police said sorry, talk to your attorney. The attorney told me the same thing because of the moratorium. They were smoking marijuana and had a lot of violations on the place. My attorney said the violations I couldn't do anything about. The garbage, the scrap metal, I tried to remove myself. The guy said he was using him. My attorney said I couldn't dispose of his property or I would be liable. He had engines, transmissions, tires. I was really sick with these people living there. I brought the notices from the inspections, they didn't care. They said they would do it. I brought them a trailer and they didn't put anything in. I tried and they said they were calling the police and they were their items. They wouldn't allow me inside. I'm not arguing anything about the inspections, everything happened. But believe me, I was the first person that was not happy with the situation because I wasn't getting rent.*

Moermond: are they still there?

Aguilar: no, they finally moved out. You can see the inspections dropped off. They moved out beginning of January. It is all clean, but the last call I got they were already out. They came back and got a lot of their belongings and left a bunch of garbage behind I wasn't aware of. They crashed my garage door on purpose. They were really evil people. We have cleaned everything up. We've been shoveling. They weren't even my tenants and thank God they are out now.

Moermond: I'm not sure you got good legal advice.

Martin: it looks like this is a Vacant Building with a fire and a boarding. Siding damage. Other issues going on too.

Aguilar: December 17.

Martin: yes, referred by St Paul Fire.

Moermond: that explains why they left. I have little sympathy for your situation. The police were correct in that it was a private matter. The moratorium had been lifted by halfway through the summer. Well before the fire. I cant imagine the trauma to the neighbors. The City spent a huge amount of money to make sure things got cleaned up. If you believe the fees fall on the tenants it would be up to you to privately pursue that with them. I recognize it is difficult since they were squatters, but that still doesn't mean it is the taxpayers' responsibility. You can definitely testify further to the Council if you want something further.

**Referred to the City Council due back on 2/16/2022**

- 9 RLH TA 21-492** Ratifying the Appealed Special Tax Assessment for property at 575 BRAINERD AVENUE. (File No. J2201E, Assessment No. 228300) (To refer to January 18, 2022 Legislative Hearing)

**Sponsors:** Brendmoen

Approve the assessment.

Rolando Aguilar, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: basically these are both for 575 Brainerd for excessive use of inspection between July 6 and July 13. There have been over 9 ECs on this property already. Compliance date of July 6, July 13, rechecked July 14. Total proposed assessment of \$279. Quite a bit of history at this property for garbage and vehicles. The second one is the same thing with a billing of March 22 to April 21, 2021. No returned mail on this. Total proposed assessment of \$157.

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thing because of the moratorium. They were smoking marijuana and had a lot of violations on the place. My attorney said the violations I couldn't do anything about. The garbage, the scrap metal, I tried to remove myself. The guy said he was using him. My attorney said I couldn't dispose of his property or I would be liable. He had engines, transmissions, tires. I was really sick with these people living there. I brought the notices from the inspections, they didn't care. They said they would do it. I brought them a trailer and they didn't put anything in. I tried and they said they were calling the police and they were their items. They wouldn't allow me inside. I'm not arguing anything about the inspections, everything happened. But believe me, I was the first person that was not happy with the situation because I wasn't getting rent.

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**Referred to the City Council due back on 2/16/2022**

**10 RLH TA 22-54**

Ratifying the Appealed Special Tax Assessment for property at 885 ALGONQUIN AVENUE. (File No. J2206E, Assessment No. 228305)

Sponsors: Prince

Delete the assessment.

Raul Herrera Nunez, owner, appeared via phone

Denavu, interpreter, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: a Summary Abatement Order was issued July 30, 2021 to remove a desk from the boulevard.

*Nunez: I bought the house in September.*

*Moermond: I understand. We'll hear more from Ms. Martin and then we can talk about purchasing and responsibility.*

*Martin: by August 6, Those orders were sent to Mai Thao Moo on Algonquin as well as a Brett in St. Paul. They also left a door tag August 13, 2021 to have the desk removed. It was put into the driveway. Total assessment of \$157.*

*Moermond: I'd like to confirm you closed September 14, 2021?*

*Nunez: yes.*

*Moermond: tell me why you are appealing today.*

*Nunez: they sent me a bill for \$157.*

*Moermond: and it looks like the previous owner who was the one who didn't do the work and they didn't tell you at closing this bill would be coming.*

*Nunez: but the letter came in my name.*

*Moermond: the letter about today came in your name. The orders previously went out July 30 to the previous owner, and you were not named.*

*Nunez: oh ok.*

*Moermond: Ms. Martin, did you say the City or owner removed it?*

*Martin: the owner did.*

*Moermond: there haven't been any concerns with the property since your purchase. Technically you should be going after the previous owner to make them pay this assessment, because they let it for you to deal with. The timing is tricky because they would have gotten the excessive consumption bill at the end of August, so they knew at closing about this bill. They really should have told you.*

*Nunez: ok.*

*Moermond: I know you are a new owner and the old owner did take care of it so I have some sympathy, especially considering the amount of money isn't that great. I'll recommend this gets deleted.*

*Nunez: that would be good.*

**Referred to the City Council due back on 3/2/2022**

**11 RLH TA 22-50**

Ratifying the Appealed Special Tax Assessment for property at 146 IVY AVENUE EAST (also 1315 RICE STREET). (File No. J2205P, Assessment No. 228404)

**Sponsors:** Brendmoen

*Delete the assessment (waiver on file).*

*No one appeared*

*Moermond: waiver was received yesterday. So recommend for deletion.*

**Referred to the City Council due back on 3/2/2022**

- 12 RLH TA 22-37** Ratifying the Appealed Special Tax Assessment for property at 687 JACKSON STREET. (File No. J2204P, Assessment No. 228403)

**Sponsors:** Thao

*Delete the assessment (waiver on file).*

*No one appeared*

*Moermond: we got another graffiti situation and it was on the wrong property. We've had a number of these.*

*Martin: we've talked to them a million times. I don't know how they do this.*

*Moermond: who is the "they" here?*

*Martin: it goes through to the graffiti crew. But someone at Parks enters this information. This has been a problem for years.*

*Moermond: Parks staff entering address incorrectly, ok.*

*Martin: Tom Hagel is in charge of that, I think.*

*Moermond: definitely delete.*

**Referred to the City Council due back on 2/23/2022**

- 13 RLH TA 22-51** Ratifying the Appealed Special Tax Assessment for property at 491 OHIO STREET. (File No. J2205P, Assessment No. 228404)

**Sponsors:** Noecker

*Delete the assessment (waiver on file).*

*No one appeared*

*Moermond: similar situation, Parks entered address incorrectly. So deleted.*

**Referred to the City Council due back on 3/2/2022**

- 14 RLH TA 22-47** Ratifying the Appealed Special Tax Assessment for property at 1761 UNIVERSITY AVENUE WEST. (File No. J2205P, Assessment No. 228404)

**Sponsors:** Jalali

*Delete the assessment (waiver on file).*

*No one appeared*

*Moermond: waiver on file and the wrong address. Delete the assessment.*

**Referred to the City Council due back on 3/2/2022**

### Special Tax Assessments-Garbage Assessments

- 15    **RLH TA 22-38**    Ratifying the Appealed Special Tax Assessment for property at 671 LAFOND AVENUE. (File No. CG2104A4, Assessment No. 210118)

Sponsors:            Thao

*Reduce assessment from \$251.40 to \$228.61.*

*Susan Semlak, owner, appeared via phone*

*Semlak: to my knowledge it has been paid, I asked them to adjust the late fees because there was an error in their system. It was on auto pay and it had a limit on it and there was an extra charge for bulk trash. There was \$10 for what it was approved for. Then they never called me. They had the wrong mailing address. Never called me.*

*Moermond: and the hauler say it wasn't paid for July through September and they want the City to collect it as an assessment. I'm not sure where you are at with your auto pay but they are saying it hasn't been paid.*

*Semlak: that is wrong. Wrong.*

*[Moermond gives background of appeals process]*

*Semlak: if the bill isn't paid I will pay it. I don't know what is going on with Republic. I own a lot of properties. I talked to them; they corrected my address. I don't know where the error is.*

*Moermond: do you want to talk about it or not?*

*Semlak: I didn't know there was a problem. I only knew about a \$30 late fee.*

*Moermond: this is for \$251.40.*

*Semlak: how much was the trash bill?*

*Moermond: I can get a report, but probably that amount.*

*Semlak: and you are saying it wasn't paid?*

*Moermond: I'm saying Republic forwarded to the City because they are saying it wasn't paid. I'd like to get a staff report so it can be explained.*

*Semlak: no, it is not ok. I want to know factually; did they accept a payment? I made a payment six weeks ago.*

*Moermond: the bill we are talking about today is for the third quarter of 2021. The third quarter bill would have had to have been paid within the third quarter or it is forwarded to the City immediately after the third quarter. Anything you paid six weeks ago wouldn't be applied to that back bill.*

*Semlak: why would they accept a payment and not put it towards that?*

*Moermond: you'd be credited that amount. They close it out and send it to the City after the quarter is done.*

*Semlak: why wouldn't they tell me that?*

*Moermond: that I don't know.*

*Semlak: this is getting weirder and weirder by the minute. What were the charges for the trash?*

*Moermond: I need to get a staff report on this so we have that detail.*

*Staff report by Clare Pillsbury: originally the property owner had called to contest the late fees, they felt as though the invoice should have been sent to the address in Henderson, Nevada. They did update their mailing address with Republic with one of their addresses, and they assumed that it would update all their addresses. We contacted the hauler who confirmed that the property owner had not called to update the address for 671 Lafond. They did update the mailing address in Nevada. Because this was not updated we recommend approving the assessment. I can also confirm the base amount for quarter 3, 2021 with no late fees. That would be late fees of \$32.*

*Semlak: I just want to know the late fees and the amount and why they took payment and why it was never applied. I don't know what to say anymore about this whole thing. It is insane. How do I pay it?*

*Pillsbury: you can pay it online via the assessment website. You can also send a check or money order. I'm more than happy to follow up with an email with more details.*

*Semlak: so you have no reason or knowledge or explanation why they would have accepted payment?*

*Pillsbury: I can say that they would have applied it as a credit on the account, either towards the current bill or a future bill.*

*Semlak: do you see anything wrong with that or is it my imagination that something crazy is going on around here? Seems like it is a waste of your time and my time that they are accepting payment for something. They could have told me how to pay it. We wouldn't have had to talk. But instead the City government is having to waste your time and further infuriating me. My problem with Republic Services is huge. It was on auto pay. They didn't call me. They mailed something to an address I no longer had. I didn't update my address online, I did it on the phone and they told me all my accounts would be updated. This has wasted my time beyond imagination and infuriated me to no end. I have \$250. It is outrageous they would put the customer and the City through this. And if someone doesn't change it you'll continue to waste your time. If they simply gave people notice you wouldn't waste this time. I can't imagine I am the only person with this problem.*

*Moermond: the City hears all these comments as we reconsider for the next contract. It sounds to me like you have a bill with late fees, because you took these efforts it makes sense to delete them. It goes from \$251.40 to \$228.61. You'll get an invoice*



after it goes to Council March 23.

*Semlak: I encourage you to do something about this. It is really frustrating. As a consumer I have no alternative to use any other trash hauler?*

*Moermond: if it is a single family home through a fourplex everyone is in the same program. I know it has been frustrating. I do hope your day improves.*

**Referred to the City Council due back on 3/23/2022**

### Special Tax Assessments-ROLLS

- 16 RLH AR 22-13** Ratifying the assessments for Collection of Vacant Building Registration fees billed during June 14 to September 20, 2021. (File No. VB2206, Assessment No. 228805)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 3/2/2022**
- 17 RLH AR 22-14** Ratifying the assessments for Securing and/or Emergency Boarding during October 2021. (File No. J2206B, Assessment No. 228105)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 3/2/2022**
- 18 RLH AR 22-15** Ratifying the assessments for Demolition services from August to October 2021. (File No. J2202C, Assessment No. 222001)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 3/2/2022**
- 19 RLH AR 22-16** Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during September 14 to October 15, 2021. (File No. CRT2206, Assessment No. 228205)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 3/2/2022**
- 20 RLH AR 22-18** Ratifying the assessments for Graffiti Removal services during October 19 to December 1, 2021. (File No. J2205P, Assessment No. 228404)
- Sponsors:** Brendmoen
- Referred to the City Council due back on 3/2/2022**
- 21 RLH AR 22-17** Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during August 23 to September 21, 2021. (File No. J2206E, Assessment No. 228305)
- Sponsors:** Brendmoen

Referred to the City Council due back on 3/2/2022

## 1:00 p.m. Hearings

### Vacant Building Registrations

#### 22 RLH VBR 22-8 Appeal of Kenneth D. Burnett to a Vacant Building Registration Requirement at 329 LAWSON AVENUE WEST.

Sponsors: Brendmoen

*Waive the VB fee through May 9, 2022 to have permits finalized and building occupied.*

*Ken Burnett, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Matt Dornfeld: this was made a Category 1 Vacant Building due to a fire back on February 9, 2021. We currently have permits on file, it appears rehab is ongoing. There haven't been any nuisance situations. I'm assuming we're here to discuss the fee waiver coming due.*

*Moermond: what is your situation Mr. Burnett?*

*Burnett: the vendor I had all summer, I fired, then I got another person. The holdup now is the City. We've been trying to get a permit for 2 weeks. I called yesterday and she said there is nothing on file. We need to get this done so we can insulate and sheetrock and move forward. I need a couple months because of the situation with the City. He's kind of frustrated. I'm trying to get it done. I had to get new windows, reframe the home. Six months to get a window. Now we're fighting with you to get a permit. We've wasted 2 weeks now. I can get moved in by April if we can get it done.*

*Moermond: I'm showing a permit was issued January 19, 2022 for work in the value of \$6,580 to Mr. Spencer Meteske, with Turnkey Restoration.*

*Burnett: we applied for that, I just talked to Tom. She told me to have him go down there and get it done. We've been waiting a week and a half to do the work*

*Moermond: oh I see. The permit was pulled January 19, probably for work before that.*

*Burnett: this is a new guy. Doing the inside work. Tom Bosworth. He said he was going down there today.*

*Moermond: there is nothing I can see in the computer yet, I'm sure there will be tomorrow if he's down today.*

*Burnett: I hope so, this is getting so close. It has been really hard on me.*

*Moermond: lets talk about that \$2,200. You got another letter and you appealed it. It sounds like you are expecting to be done within the next 2 or 3 months?*

*Burnett: as soon as we get the permit. Yes.*

*Moermond: I'm going to put a waiver on the Vacant Building fee to May 9. If you have your permits signed off by May 9 you have no fee whatsoever.*

*Burnett: how do I let you know it isn't vacant anymore and I am moved in?*

*Moermond: we'll be able to tell from the permits. He'll contact the building inspector to do the inspection.*

*Dornfeld: I would like to add that sometimes the insurance company will pay these Vacant Building fees.*

*Burnett: no, I spent \$40,000 of my own money. I am turning it from a duplex to a Single Family Home.*

**Referred to the City Council due back on 2/16/2022**

## 1:30 p.m. Hearings

### Orders To Vacate - Fire Certificate of Occupancy

- 23 RLH VO 22-8** Appeal of Ted Wagor, Attorney, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 346 CLEVELAND AVENUE NORTH.

**Sponsors:** Jalali

*Grant an extension to June 1, 2022.*

*Ted Wagor, attorney o/b/o owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor AJ Neis: this is a revocation of the Fire Certificate of Occupancy and order to vacate. Our office received a complaint September 17, 2021 that there was a report of this being used as a student housing in the student overly district. Inspector Toeller confirmed there were 5 undergrad students residing in the house which is a violation of our current ordinance since it is within 150 feet of another student dwelling. Orders sent the following months. Zoning has denied their appeal and they have filed an appeal with the Board of Zoning Appeals. It was recently inspected and approved in June of 2021 so we don't believe there are any major life safety hazards other than it is over occupied in the overlay district*

*Moermond: so too many undergraduate students without being designated as student housing, which would allow more than 2. That is a zoning concern but this is a Fire Certificate of Occupancy order enforcement of zoning code.*

*Wagor: we don't dispute what Mr. Neis said in terms of there being 5 undergraduate students. I wasn't personally aware of the background to September until recently when I was engaged by the firm. I do know we haven't complied because we were trying to work with channels with the students themselves, verifying themselves whether they were graduates or undergraduates, and then taking time to put our application into Zoning for student housing. I believe that was submitted in October to register it as student housing. That was denied and it was recommended to seek a variance which required some research, and we submitted that early January. We have been going through the steps. They do live there currently and there is currently an*

*appeal scheduled for February 7. I do know from what I have been told it is an uphill battle. We understand that. We don't know how long they take to respond to the request but even if it is denied we would ask for an additional stay to further decide if an appeal is necessary from that. I know that is the appeal to Council. While this continues to go through the appeals process for necessary certifications, we ask the students be allowed to continue to live there. There have been no complaints as far as noise violations. This was a complaint brought by the University of St. Thomas from what I understand. There have been no neighborhood complaints.*

*Neis: that is not true.*

*Wagor: from my perspective. That's all I know about. I did hear there was a mattress at the property but it wasn't the occupants. I think that is what tipped off St. Thomas who discovered more than 2 students were there. That's what I've been told. I haven't seen anything that shows noise complaints or safety violations to the property. I ask that the Fire Certificate of Occupancy revocation be stayed so the students can live there and aren't thrown out.*

*Neis: are you representing the property owner on all the properties or just this one?*

*Wagor: just this one.*

*Neis: I'm asking because we have several coming down the pipe currently with overoccupancy issues in all the units. We were told that part of the condition of him purchasing these properties is they were rented to X amount of students before they moved in. So they were acquired and deliberately over occupied. Putting the cart before the horse. We have several more properties that will be in the same situation. You're asking for more time, but it isn't just these students.*

*Wagor: I didn't know of those other properties. I did see a recent article in The Villager indicating he had 3 other properties in the overlay district. I asked him if that was the case and he said it was. I have no idea whether they are registered or how many students live there and whether they are graduate or undergraduate students. I'm the associate here, it isn't my relationship. The partner has the relationship with the client.*

*Neis: that would explain why you weren't aware of the issues since September but I have documentation from October 4 saying the responsible party's lawyer asking for more time to complete the appeals process. So some attorney knew much earlier about the complaint.*

*Wagor: it was either Kirkland or Snyder at this firm, yes. When that was denied in November we started putting together the variance application and looked into that. So yes, you are right. To the extent I am aware I know what is in this file. I was aware of communication with St Thomas liaison from September as well. I do ask that if there are potentially other student housing overlay concerns I ask that those aren't considered for purposes of this stay. I don't know the voracity of those or whether they are violations in fact.*

*Neis: with no life safety issues and being inspected less than a year ago--*

*Moermond: let me round this out Mr. Neis. Those other properties don't play a role in what we are looking at today. With respect to neighborhood or the University complaints, it doesn't matter to me who called it in. Only that the condition exists. With respect to a code violation on the exterior, mattress, junk in the yard, parties, police*

*calls. Those would play a role in terms of my willingness to grant an extension for compliance with the order pending the appeals process. I don't hear from staff they have had enforcement issues related to this property which weighs in your favor. I see you have a BZA hearing February 7. Playing this out, if you were to lose that and go to Council, I imagine it wouldn't be more than a 60 day process. That takes us through halfway through the semester. I'm not inclined to say you get a stay pending resolution of appeal because that could be almost endless. I am willing to say I will grant an extension through June 1, 2022, which should get people through the immediate concern. I hope they continue to be a good neighbor so I don't regret this in the future.*

*Wagor: absolutely. So there will be a follow up order?*

*Moermond: my recommendation goes to the Council. You'll get correspondence from my office with that recommendation. It goes forward in form of a resolution and that dictates how DSI proceeds with enforcement. This is separate from the BZA process. This is just having to do with the date of enforcement.*

*Wagor: if you have issues with any other properties feel free to email me. I will look into it for sure. I don't know of any but our client is trying to comply from my understanding.*

**Referred to the City Council due back on 2/16/2022**

**24 RLH VO 22-9**

Appeal of Susan M. Beatty to a Fire Certificate of Occupancy Correction Notice, including Condemnation & Order to Vacate, at 281 STURGIS STREET.

**Sponsors:** Noecker

*Grant an extension to June 1, 2022 for property to become code compliant or basement to cease being used for living purposes.*

*Called VSM real estate at 2:16 pm and spoke with Ronnie who said they weren't planning on participating.*

*Susan Beatty, occupant, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor AJ Neis: this is a Fire Certificate of Occupancy correction notice. A fire Certificate of Occupancy inspection had been previously done Jan 7 by inspector Thurner. Records stated this was a 2 unit building. He is a newer inspector and documented there was 3 units, but then realized the system said it was a duplex. He came to me to ask for guidance as he believed he made an incorrect call in saying 3. I had inspector Thurner show me some photographs and we set up a time to go out. We did that, I inspected with him, and advised him to amend his January 7th orders. We did some record research. This was cited as illegal occupancy February of 2009 and July 2012. The TISH report from February 8, 2017 says duplex as well. January 7 it was found in use as a triplex again. We advised Ms. Beatty of the situation and advised her to appeal. Needless to say the building is currently in use as a 3 unit building. The indicators being the electrical meters aren't separated. The bedroom goes through a laundry room and back to the upstairs with a gas line that goes overhead. A lot of indicators it wasn't done properly, however the downstairs tenant indicates she is sharing the upstairs unit with the residents on the main floor. That's where we stand.*

*Moermond: tell me what is going on Ms. Beatty?*

*Beatty: I moved into this apartment September 1. It was a duplex and our apartment had 3 bedrooms and 1 and a half baths. I signed the lease. I paid the fees to the management company. Then the fire inspector came. It seems to me it is in the owner's best interest to correct these things. I need a place to live and my only option would be finding a new place in 3 months but I'd need that time. I can't move.*

*Moermond: of course.*

*Beatty: this is the second time this happened to me this year.*

*Moermond: have you reached out to SMRLS to talk to them about your situation?*

*Beatty: no.*

*Moermond: that may be a good thing for you to do. They may be able to help get some of these fixes taken care of. They could give you advice on whether or not you have to pay rent when your unit is ordered vacated.*

*Beatty: I just paid rent this morning.*

*Moermond: and they can look at that too.*

*Neis: there are situations where from a general standpoint rent has been put in escrow, while stating we can't give legal advice. Contacting SMRLS would be my advice.*

*Beatty: can you just email the information? That sounds great.*

*Moermond: I am hearing you entered this in good faith believing this was a duplex and you were renting a part of the unit.*

*Beatty: I am sharing rent with Stephanie and Trevor Barret. We share the apartment. They access down here; I have access upstairs. No problems. Again, I would certainly be willing to find a new place but that will take time.*

*Moermond: there are a few earmarks this has that makes the inspectors call it as a triplex vs. duplex. I'd like them to explain specifically the kinds of things they are looking at so you know why they are saying one thing vs. another. I get where you are coming from. You're saying it is a part of a unit; they are saying it is a separate one. What are those characteristics, Mr. Neis?*

*Neis: looking at the photographs. The first photograph with the bathroom, you see 2 electrical panels. One states second floor. When it is labeled like that it indicates the second floor tenant does not have access to that portion of the basement. They have to have access to their own panel in case a breaker pops. The fact it is down there indicates it isn't legal to use as a unit. The bathroom had some concerns. The kitchen is being used with a microwave, hot plates, crock pot. If it was a shared duplex the kitchen facilities would also be shared. She is not going upstairs to cook; she is using portable appliances. There have been fatal fires caused by these situations because when units cause electrical to be overworked. Ms. Beatty is a wonderful decorator and housekeeper. There are fire separation issues with regard to the boiler location. It is right in Ms. Beatty's unit. There are some half walls built which lead right from her living*

room space to the boiler room.

Moermond: in order for it to be habitable space for sleeping, my memory says it needs better fire separation to keep the person safe. You're saying there isn't that?

Neis: yes, potentially. The best way to determine that is to have a code analysis. If the owner tried to make this into a legal space they would have to have someone do diagrams for analysis we would review with the Building Official.

Moermond: so it is possible it could be a safe duplex, or possibly a safe triplex. Both of those would require some changes be made?

Neis: correct.

Moermond: ownership, if they came forward with a proposal from an architect or proper credentials, would need to do the proper separation. That would allow her to live jointly in that space. I'm concerned about the locking door between the 2 spaces. Is that lock openable from both sides?

Beatty: it is always open and unlocked.

Moermond: I'm concerned about locking that as an exit.

Neis: for use as a legal duplex there is work that needs to be done for that OR for a triplex.

Moermond: it is doable but it needs a professional.

Neis: correct.

Moermond: I wanted that spelled out because we will copy VSC Real Estate on our letter so they have that information as well. I don't want to put you into a worse position than you are. I want to give an opportunity for ownership to do the right thing to make this a safe duplex. That does need to be dealt with. I'm going to say, given Covid and contractor issues, I'll give to June 1, 2022. That gives the owner a chance to do the fixes or you a chance to find someplace else.

Beatty: that works for me.

**Referred to the City Council due back on 2/16/2022**

## 2:00 p.m. Hearings

### Fire Certificates of Occupancy

- 25 RLH FCO** Appeal of Aleksandra Felt, Urban Enterprises, to a Fire Certificate of  
**22-11** Occupancy Correction Notice at 922 WOODBRIDGE STREET.

**Sponsors:** Thao

Property to be reinspected on items 4, 7, 9, 18, 19, 20 & 21 at 2 pm on February 22, 2022. Grant to April 1, 2022 for balance of the January 4 orders.

Aleksandra Felt, property management, appeared via phone

*[Moermond gives background of appeals process]*

*Staff report by Supervisor AJ Neis: this is a Fire Certificate of Occupancy correction notice regarding the property with multiple correction orders by Torrance Harriel. Unknown what the appeal is for, there were no revocation orders, but we did receive documentation that the tenants will be vacating soon.*

*Felt: some of them.*

*Neis: there were multiple code violations. I coincidentally drove by this property unintentionally and its condition caught my eye based on its exterior. There are some issues and challenges that are ongoing.*

*Moermond: Ms. Felt, what are you looking for today?*

*Felt: our goal with the appeal is to have the extension until about April 1 to have the items done. The exterior ones relating to foundation issues until there is no snow. We did provide both tenants notice to vacate back in November and they were supposed to vacate yesterday at 12 pm. Neither unit has been vacated so now we are moving forward with eviction; I believe my lawyer submitted it today. As the officer stated, the property needs TLC and also these tenants do not do anything to assist in maintenance at a standard level either. There are animals that aren't supposed to be there living there. Replacing front doors, I've replaced it already this year for unit 1 and we replaced the screen door entry way for unit 2. Unit 1 the tenant ripped unit 2 door off the hinges in a rage. They are destructive and we want them gone before we work on anything more. They don't maintain the update. I replaced the fridge last April and somehow that is damaged. I just want to be able to have both units empty so we can gut it and get it back up to par with the neighborhood. The owner has wanted to do this the entire time. It was hard with the moratorium to get them out. Then we gave them notice with the ending of the moratorium. We want to get these items done before new people move in and have it all back up to code. we just need more time to get them removed to address the issues.*

*Moermond: you could have taken action; the moratorium was lifted quite a while ago. I'm not opposed to an extension to April 1 for some, but some need to be addressed in the short term regardless of eviction status. They deserve a base level of safety. I am looking at the number of smoke alarms that are not present. I know tenants can remove them but they have to be there. I also see the excessive materials blocking exit in unit 1.*

*Felt: that's me having to count on them to remove them and personally I don't believe they will follow through. They haven't moved out. I requested for them to remove their animals and they didn't do that either. There are multiple occurrences where they don't follow what I ask. I personally feel like if I ask them to replace the blinds, they won't do that. they won't remove the items from the walkway. The smoke detectors I agree and I will get those installed while they are still living there even though they shouldn't be. I understand that. I do recall that having to be done before my owner purchased last year. That would also be the tenant's responsibility to have those up.*

*Moermond: I am willing to grant an extension if they are dealt with and how you deal with the tenants is on you but the condition is hanging on the rest of it. I was thinking a month, but I'm leaning back to 3 weeks and going to April 1 for the balance.*



Neis: a reinspection the week of the 21st, let's look at Harriel's calendar. We can do 2 pm on the 22nd.

Moermond: send an appointment letter to Ms. Felt. If these things are addressed we can give to April 1 for the balance. If they aren't addressed then the Department is authorized to do enforcement. We aren't talking to about throwing away things, we're talking boxing things up.

Felt: absolutely.

Moermond: so you have a follow up inspection and an extension.

Felt: so blocked stairway and what?

Moermond: southwest bedroom has something blocking the window, hanging light fixtures, and smoke alarms. The rest gets an extension.

Neis: if that work is not done then we would most likely seek a condemnation for failure to have adequate egress.

Moermond: and that is appealable as well.

Felt: so if they don't do it, it will be condemned?

Moermond: certainly the room would be for sleeping purposes.

Felt: ok. That is in unit one as well. Alright.

**Referred to the City Council due back on 2/16/2022**

**26**     [SR 22-19](#)

Review Request for Extension to an Appeal of Wendy and John Slade to a Fire Inspection Correction Notice at 1005 CONWAY STREET.

**Sponsors:**     Prince

LH to be scheduled February 8, 2022 2 pm to include revocation orders.

No one appeared

Moermond: we have two things in play. An extension request on previous orders and deadlines for exterior work. We also have a revocation of the Certificate. So a previous correction notice and now a revocation. I assumed when it was brought to my attention we were talking about 2 of the same type of order. These are 2 different orders. I'm hesitating to make a determination on an extension without the owner being able to testify since the revocation is in play. We'll lay this over for a week so Mr. Slade can talk about what kind of extension he wants and why. We have an email but he should have an opportunity to put something on record. I'd like to treat this as an appeal of the revocation. Let's fill out an appeal form and not charge him. We'll use that but make sure he's available to discuss his work plan and we'll talk about the revocation specifically then. Anything you want us to communicate to him?

Neis: no, I'll brief Leanna on this.

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