



## Legislation Details (With Text)

**File #:** RLH RR 18-2 **Version:** 4

**Type:** Resolution LH Substantial Abatement Order **Status:** Passed

**In control:** City Council

**Final action:** 4/4/2018

**Title:** Ordering the rehabilitation or razing and removal of the structures at 1536 VAN BUREN AVENUE within fifteen (15) days after the February 14, 2018, City Council public hearing. (Amend to remove or repair within 180 days)

**Sponsors:** Samantha Henningson

**Indexes:** Substantial Abatement Orders, Ward - 4

**Code sections:**

**Attachments:** 1. 1536 Van Buren Ave.OTA 10-25-17, 2. 1536 Van Buren Ave.PH 12-15-17, 3. 1536 Van Buren Ave.SHPO 11-2-17, 4. 1536 Van Buren Ave.Photos.10-19-17, 5. 1536 Van Buren. Ave.Condemnation Ltr.8-9-16, 6. 1536 Van Buren Ave.Photos.8-9-16, 7. 1536 Van Buren Ave.Sorden Design LLC Proposal.1-26-18.pdf, 8. 1536 Van Buren Ave.Henneman-Bjerkness Ltr.1-19-18.pdf, 9. 1536 Van Buren Ave.Henneman-Bjerkness Ltr.2-2-18.pdf, 10. 1536 Van Buren Ave.Henneman-Bjerkness Ltr.2-13-18.pdf, 11. 1536 Van Buren.Assistance for Homeowners Email.2-14-18, 12. 1536 Van Buren Ave.Neighborhood Assistance for Homeowners Ltr.2-14-18.pdf, 13. 1536 Van Buren Ave.Neighborhood Assistance For HomeOwners\_Secretary of State\_Article of incorporation.pdf, 14. 1536 Van Buren Ave.NeighborhoodAssistanceForHomeowners NonProfit Ammeded ByLaw.pdf, 15. 1536 Van Buren Ave.Assistance Homeowner Ltr.2-15-18.pdf, 16. 1536 Van Buren Ave.Neighborhood Assistance For Homeowners Feb 20 2018 Response Letter.pdf, 17. 1536 Van Buren Ave.Performance Bond Escrow Confirmation.2-20-18.pdf, 18. 1536 Van Buren Ave.Proof of Funds HomeLibertyInc Pre Commitment letter.2-20-18.pdf, 19. 1536 Van Buren Ave.Preliminary Timeline.2-28-18.pdf, 20. 1536 Van Buren Ave.Tobak-Hanratty Ltr.2-28-18.pdf, 21. 1536 Van Buren Ave.Seeger Email Re Duplex Status.2-28-18, 22. 1536 Van Buren Ave.Plans for Rehab.3-9-18.pdf, 23. 1536 Van Buren Ave.Signed Agreement Plans for Rehab.3-13-18.pdf, 24. 1536 Van Buren Ave.Tobak-Hanratty R-R Ltr.3-16-18.pdf, 25. 1536 Van Buren Ave.Sworn construction Statement from Dan Norby Home Maintainers 3-26-18.pdf, 26. 1536 Van Buren Ave.chain emails.3-28-18.pdf, 27. 1536 Van Buren Ave.Hanratty email.3-30-18.pdf, 28. 1536 Van Buren Ave.Tom Olive Affidavit and Bank Statement.3-30-18.pdf, 29. 1536 Van Buren Ave.Cover Letter for Olive Law Office Escrow Account.3-30-18.pdf

| Date      | Ver. | Action By            | Action                  | Result |
|-----------|------|----------------------|-------------------------|--------|
| 4/11/2018 | 4    | Mayor's Office       | Signed                  |        |
| 4/4/2018  | 4    | City Council         | Adopted As Amended      | Pass   |
| 3/27/2018 | 3    | Legislative Hearings | Referred                |        |
| 3/13/2018 | 3    | Legislative Hearings | Laid Over               |        |
| 2/27/2018 | 3    | Legislative Hearings | Laid Over               |        |
| 2/21/2018 | 3    | City Council         | Referred                |        |
| 2/14/2018 | 2    | City Council         | Continue Public Hearing | Pass   |
| 2/13/2018 | 2    | Legislative Hearings | Referred                |        |
| 1/30/2018 | 1    | Legislative Hearings | Referred                |        |
| 1/16/2018 | 1    | Legislative Hearings | Laid Over               |        |

Ordering the rehabilitation or razing and removal of the structures at 1536 VAN BUREN AVENUE within fifteen

(15) days after the February 14, 2018, City Council public hearing. (Amend to remove or repair within 180 days)

**AMENDED 2/14/18 and 04/04/18**

WHEREAS, the Department of Safety and Inspections has determined that 1536 VAN BUREN AVENUE is a nuisance building pursuant to Saint Paul Legislative Code §45.02 as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and

WHEREAS, this property is legally described as follows, to wit: Lindemann Place Lot 1 Blk 2; and

WHEREAS, based upon the records in the Ramsey County Recorder's Office and information on file or obtained by the Department of Safety and Inspections, the following are the owners, interested or responsible parties for the subject property as of October 25, 2017: Douglas and Mary Henneman, PO Box 8214, Saint Paul MN 55108-0214; Federal National Mortgage Association, 14221 Dallas Parkway #1000, Dallas TX 75254; Seterus Inc., 14523 SW Millikan Way #200, Beaverton OR 97005; Usset, Weingarden and Liebo, 4500 Park Glen Road #300, Minneapolis MN 55416; and Hamline Midway Coalition; and

WHEREAS, each of these parties was served a written order dated October 25, 2017 advising them of the basis for the determination that the subject property was a nuisance, and that the nuisance building was to be repaired or razed and removed by November 24, 2017; and

WHEREAS, this order informed the interested or responsible parties that they must repair or raze and remove the structures(s) located on the Subject Property by November 24, 2017; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on October 26, 2017 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by November 24, 2017, and therefore an abatement hearing was scheduled before the City Council on February 14, 2018 and the owner or his duly authorized representative and any interested parties or their duly authorized representatives were properly notified of the time, date and place of the hearing; and

WHEREAS, the Legislative Hearing Officer provided the owner and other interested parties an opportunity to discuss the matter at a legislative hearings on January 16, 2018 and February 13, 2018, March 27, 2018; and

WHEREAS, a public hearings were was held on February 14, 2018, April 4, 2018, and the City Council reviewed the record, which included the exhibits from the Department of Safety and Inspections, the minutes and recommendation of the Legislative Hearing Officer and any testimony at the hearing. Now, Therefore Be It

RESOLVED, that the Saint Paul City Council hereby finds:

1. That the structure(s) at 1536 VAN BUREN AVENUE is a nuisance building pursuant to Saint Paul Legislative Code §45.02, as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and 3) these nuisance conditions have not been corrected after notice of the same to the owner.
2. That the Department of Safety and Inspections has complied with all of the procedural requirements of the Saint Paul Legislative Code Chapter 45.
3. That the owners, interested parties or responsible parties have not presented a plan acceptable to the Legislative Hearing Officer and Department of Safety and Inspections staff to repair the structure(s) and correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance

report and to make the structure(s) safe and code compliant within 15 days. And, Be It Further

RESOLVED, that the City Council orders that the owners, interested parties or responsible parties shall repair the structure, correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance report and to make the structure(s) safe and code compliant, or shall raze and remove the structure(s) within 15 180 days after the City Council Public Hearing. And, Be it Further

RESOLVED, that at the conclusion of the 180-day grant of time, the Council will receive a report from the Legislative Hearing Officer with findings on the status of the nuisance abatement; And Be It Further

RESOLVED, that a Legislative Hearing is scheduled for October 9, 2018 at which owners, interested parties and Department of Safety and Inspection staff will present information on the current building conditions and progress toward abatement of the dangerous/nuisance conditions and the resulting findings will be presented to the City Council at a public hearing on October 24, 2018 for its consideration; And, Be It Further

RESOLVED, that if the necessary corrective action has not been taken within the time allotted, the Department of Safety and Inspections is authorized to take those steps necessary to raze and remove this structure and to charge the costs incurred in accordance with Saint Paul Legislative Code §45.12(4). Any personal property or fixtures of any kind shall be removed by the owners, interested parties or responsible parties prior to the resolution compliance date or it will be considered to be abandoned and the City of Saint Paul shall remove and dispose of such property as it deems appropriate. And, Be It

FINALLY RESOLVED, that this resolution shall be served on any of the parties required to be notified in Saint Paul Legislative Code §45.12(4).