



## Legislation Details (With Text)

<b>File #:</b>	RLH RR 23-19	<b>Version:</b>	5
<b>Type:</b>	Resolution LH Substantial Abatement Order	<b>Status:</b>	Passed
		<b>In control:</b>	City Council
		<b>Final action:</b>	5/17/2023
<b>Title:</b>	Making finding on the appealed substantial abatement ordered for 1457 THIRD STREET EAST in Council File RLH RR 22-24. (Amend to grant additional 180 days)		
<b>Sponsors:</b>	Jane L. Prince		
<b>Indexes:</b>	Substantial Abatement Orders, Ward - 7		
<b>Code sections:</b>			
<b>Attachments:</b>	1. 1457 Third St E.Making Finding Notice of PH Ltr 3-22-23.pdf, 2. 1457 Third St. E.Berger R-R Ltr.4-14-23, 3. 1457 Third St. E. retaining wall driveway pics.4-20-23, 4. 1457 Third St. E.reno budget.4-20-23, 5. 1457 Third St. E. bricks pic.4-20-23, 6. 1457 Third St. E.bank balance.4-20-23, 7. 1457 Third St E.bids.4-21-23, 8. 1457 Third St. E.Berger R-R Ltr.4-28-23, 9. 1457 Third St. E.updated affidavit.5-1-23, 10. 1457 Third St. E.Power of Attorney.5-1-23, 11. 1457 Third St E.Budget, schedule + bids (no plumbing).5-8-23, 12. 1457 Third St. E.Berger R-R Ltr.5-12-23, 13. 1457 Third St E.updated schedule - work plan.5-15-23, 14. 1457 Third St E.updated bids.5-15-23, 15. 1457 Third St E.updated financing.5-15-23		

Date	Ver.	Action By	Action	Result
5/18/2023	5	Mayor's Office	Signed	
5/17/2023	4	City Council	Adopted As Amended	
5/10/2023	3	City Council	Continue Public Hearing	
5/9/2023	3	Legislative Hearings	Referred	
4/26/2023	2	City Council	Continue Public Hearing	
4/25/2023	2	Legislative Hearings	Referred	
4/11/2023	1	Legislative Hearings	Referred	

Making finding on the appealed substantial abatement ordered for 1457 THIRD STREET EAST in Council File RLH RR 22-24. (Amend to grant additional 180 days)

### **AMENDED 5/17/23**

WHEREAS, the City Council adopted RLH RR 22-24 on October 5, 2022 which granted 180 days to repair the structure, correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance Report at 1457 Third Street East; and

WHEREAS, the Legislative Hearing Officer reviewed this case on April 11, 2023 to determine if the owner and/or responsible party abated the nuisance conditions and found these conditions not abated, with the building inspector reporting 0% of the work was complete at the time of this hearing; and

WHEREAS, ~~the Legislative Hearing Officer's recommendation is forthcoming as to whether the City Council should grant additional time to execute and abatement of the nuisance conditions of the property, and whether to forfeit or continue the performance deposit or require additional deposit be posted~~ the Legislative Hearing

Officer recommends the \$5,000 performance deposit be forfeited and an additional \$5,000 be posted, as the abatement of the nuisance conditions at the property was deemed to be 0% complete by the Building Official's designee at the completion of the 180 day grant of time from the City Council on October 5, 2022; and

WHEREAS, the Legislative Hearing Officer recommends that the property owner provide the City Council with an acceptable scope of work for the abatement of the nuisance conditions at the property and evidence of financing sufficient to execute this plan; and

WHEREAS, the Legislative Hearing Officer recommends that the property owner provide a power of attorney for another person to abate the nuisance conditions at the property, as the owner, acting on his own behalf, with the assistance of 2 family members has been unable to initiate the rehabilitation of the property due to significant delays in decision making regarding contractors and releasing funds for the required work;

WHEREAS, the Legislative Hearing Officer recommends that the City Council grant an additional 180 days for the abatement of the nuisance condition at 1457 Third Street East, as the above 3 recommendations have been met; now, therefore, be it

RESOLVED, that the Saint Paul City Council adopts the finding of the Legislative Hearing Officer that the nuisance condition is not abated and the Council withholds its decision of an extension and the performance deposit, pending the April 25, 2023 Legislative Hearing forfeits the \$5,000 posted to as a condition of receiving the initial grant of time on October 5, 2022 and grants an additional 180 days for the abatement of this nuisance property, per the recommendation of the Legislative Hearing Officer.