



## Legislation Text

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**File #:** RLH RR 16-14, **Version:** 1

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Staying enforcement for 180 days of Council File RLH RR 15-37 ordering the rehabilitation or razing and the demolition of the structures at 2227 BEECH STREET within 30 days after the October 7, 2015 City Council Public Hearing.

WHEREAS, City Council File RLH RR 15-37 ordered the razing and the demolition of the structure of 2227 Beech Street within 30 days after the October 7, 2015 City Council Public Hearing; and,

WHEREAS, City Council adopted File RLH RR 15-37 on October 7, 2015 granting a stay of enforcement for 30 days; and,

WHEREAS, a request was made to the City Council to review this case again and consider granting an additional stay of enforcement; and,

WHEREAS, the Legislative Hearing Officer conducted hearings on September 8, 2015 (which no one appeared), December 8, 2015 and January 26, 2016 to review this request; and,

WHEREAS, the Legislative Hearing Officer considered the attorney's request on behalf of the owner, Ocwen Loan Servicing, LLC, Altisource, in the context of the following:

1. Posting of a \$5,000 performance deposit with the Department of Safety and Inspections; and,

WHEREAS, the Legislative Hearing Officer recommends the Council deny the request for a stay of enforcement of Council File RLH RR 15-37 ordering the razing and the demolition of the structures at 2227 Beech Street within 30 days after the October 7, 2015 City Council Public Hearing based on the following findings:

1. a work plan was not presented;
2. evidence of financing to execute a rehabilitation was not presented and no specific bid for the rehabilitation was presented, which would be the foundation for determining the level of financing required;
3. a letter of commitment (an affidavit) from the Bank, indicating the amount of funds for the project was not presented;
4. all necessary general contractor and subcontractors were not presented; and,

WHEREAS, a request was made by Melanie Smith, Real Estate Broker, The Ewing Group LLC representing new owners Shellpoint Mortgage to the City Council to review this case again and consider granting an additional stay of enforcement; and,

WHEREAS, the Legislative Hearing Officer conducted hearings on February 23, 2016 and March 22, 2016 to review this request; and,

WHEREAS, the Legislative Hearing Officer considered the attorney's request on behalf of the new owner, Shellpoint Mortgage, in the context of the following:

1. provide a work plan with timelines for the project;
2. provide financial documentation;
3. a letter of commitment (affidavit) from the Bank, indicating the amount of funds for the project;
4. provide contractor and subcontractor bids;
5. provide confirmation of the existing \$5,000 performance deposit (previously posted by Ocwen Loan Servicing, LLC) on whether it will be used towards this project or will Shellpoint be posting its own deposit; and,

WHEREAS, the Legislative Hearing Officer recommends that the City Council stay enforcement of City Council File RLH RR 15-37 for a period of 180 days as the following conditions were met on March 22, 2016:

1. new bids and a new work plan consistent with the code compliance inspection report dated December 14, 2015 were provided;
2. documentation of loan financing sufficient to complete the project has been demonstrated;
3. confirmation letter from the previous owner authorizing release of the existing performance deposit to Shellpoint to be used for this project; and
4. a letter of commitment dedicating the amount of \$52,908.00 was submitted. Now, therefore, be it

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter, granting a stay of for a period of 180 days for the completion of the rehabilitation of the property; and 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 demolition 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).