



## Legislation Text

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**File #:** RLH VO 20-49, **Version:** 2

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Granting a stay of enforcement of Council File RLH VO 20-47, a decision on an appeal of a Fire Correction Notice-Complaint Inspection, including condemnation, at 1544 BEECH STREET.

WHEREAS, on October 14, 2020, the Saint Paul City Council adopted Council File RLH VO 20-47, which granted to October 20, 2020 for owner to come into compliance on all ordered corrections, noting that if the heat is not restored by this date, under permit required by law, the property must be vacated; and

WHEREAS, on October 15, 2020 Jowana Cyrus, tenant, requested an emergency hearing to stay enforcement of the Vacate Order pending the outcome of an Emergency Tenant Remedy Action (ETRA) being considered in Housing Court October 22, 3030; and

WHEREAS, a Legislative Hearing was conducted October 20, 2020 to review this matter to develop a recommendation for the Council on a potential stay of enforcement; and

WHEREAS, tenant Jowana Cyrus, her attorney Thuzong Xiong (Southern Minnesota Regional Legal Services), property owner Natosha Carney and Fire Inspections Supervisor Leanna Shaff participated in the Legislative Hearing; and

WHEREAS, the Legislative Hearing Officer found that there continues to be no operational heating plant (furnace/boiler) at the property and the house's temperature is being maintained at approximately 70 degrees with the use of space heaters inspected by the city October 20, 2020; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council stay the Order to Vacate the property for 2 weeks, to November 4, 2020, to allow for the potential repair or replacement of the heating plant under court order on the condition that the space heaters continue to be operated per manufacturers instructions, with proper clearances and only with people present and attending to their operation; and

WHEREAS, the Legislative Hearing Officer recommends that the stay be reviewed November 3, 2020 at 11:30 AM to determine whether the matter has been resolved or if the Council may wish to extend the stay because of imminent reinstatement of heat to the property, noting this work will need to be performed under permit from the City of Saint Paul; Now, Therefore, Be It,

RESOLVED, that the Saint Paul City Council hereby accepts the findings of the Legislative Hearing Officer, stays enforcement of the Order to Vacate 1544 Beech Street, and directs that a Legislative Hearing be conducted November 3, 2020 to conclude this matter.