



Legislation Text

File #: ALH 11-292, **Version:** 1

Appeal of Special Tax Assessment for 155 RUTH STREET NORTH for Project #: J1104E, Assessment #: 118020 in Ward 7

Legislative Hearing Officer Recommendation

Approve the assessment.

Tax Assessment Worksheet

Cost: \$150.00

Service Charge: \$20.00

Total Assessment: \$170.00

Gold Card Returned by: Bouawan Xiong

Type of Order/Fee: Excessive consumption

Nuisance: Winows/siding

Date of Orders: 6.7.10

Compliance Date: 6.28.10 & 7.26.10

Re-Check Date: 10.6.10

Invoice #: 8650003

Returned Mail?: Returned Mail Vehicle Abatement 01-28-11 Boua Wan Xiong (Vadnais Heights)-Does not apply to this assessment.

Comments: Two previous assessments for same violation-levied.
One previous assessment for under same file for clean up.
One additional assessment pending for EC
One additional assessment pending for vehicle tow.

History of Orders on Property:
Extensive history under both this and previous owner(s)

Legislative Hearing Notes (if any)

Bouawan Xiong appeared.

Inspector Essling reported that the assessment for 155 North Ruth Street is an Excessive Consumption fee for exterior maintenance. Orders were issued June 7, 2010 regarding windows, siding, paint. The compliance

dates for that Order were June 28 and July 26, 2010. It was re-inspected on October 6, 2010 and found to be non-compliant. At that time, \$150 Excessive Consumption fee was assessed plus a service charge of \$20 for a total of \$170. There are two (2) previous Excessive Consumption fees for this same violation. There have also been assessments for an abatement clean-up, vehicle tow; and a citation was issued. The extensive history on this property goes back to when it came off the Vacant Building list in 2003-04.

Mr. Xiong explained that he just didn't have the money to fix the exterior right after he bought it in 2008. At that time, his dad had been helping him pay for things but he lost his job six (6) months after he bought the house. He had to fix up things on the inside of the house first. Regarding the cars: one of them is not driveable; all the tabs are current. He lives at this house.

Ms. Moermond asked if a criminal tag had been issued. Mr. Essling replied, "Yes." Mr. Xiong explained that he didn't know he had a citation, but as he was coming home from work, the officer pulled him over and arrested him on February 10, 2010 and took him to jail. His court date is March 10. They didn't tell him what the citation was for. Inspector Seeley added that two (2) vehicles would be towed, perhaps today. Mr. Xiong responded that one of the vehicles is his brother, who has a DWI, so he can't drive the car. Mr. Xiong has another vehicle that he drives only in summer, so he parks it in the driveway on the side of his house. They are operable; one needs some brake work. His dad had a mini van parked there that has a cracked window, so, it was towed.

Ms. Moermond asked if there was any sort of plea arrangement whereby Mr. Xiong would have things done by a particular date. Mr. Essling replied that he didn't show up for court so there was a warrant issued. Mr. Xiong responded that he didn't know he had a court date. Ms. Seeley said that she believed that they sent the citation over to DMV; it was sent to Mr. Xiong's previous address. (He had changed the address on his driver's license; moved 2008).

Ms. Moermond will recommend approval of this assessment. She will also give Mr. Xiong a time certain by which this exterior work needs to be done; that date can carry over to his court proceedings.

Inspector Essling stated that on January 28, 2011, the inspector met with the tenant, who said that Mr. Xiong will have all of the violations on the house corrected by June 30, 2011. Mr. Xiong said that he doesn't have a tenant; some of his family members live there. He never talked with an inspector. The inspector probably had talked with his dad or someone else who lives there.

Ms. Moermond will give Mr. Xiong until June 1, 2011 to get all of the work done. She explained that there will be a tax assessment coming forward for the cost of removing the cars from Mr. Xiong's property (going on right now) and for the cost of storing them at the Police Impound Lot. She encouraged him to get them out of storage sooner rather than later or the police will auction them. What the police get at auction will be credited to Mr. Xiong's towing and storage bill. Call Ed Smith 266-1917.