



CITY OF SAINT PAUL
OFFICE OF THE CITY COUNCIL
310 CITY HALL
15 WEST KELLOGG BOULEVARD
SAINT PAUL, MN 55102-1615
Marcia Moermond, Legislative Hearing Officer
EMAIL: legislativehearings@ci.stpaul.mn.us
PHONE: (651) 266-8585 FAX: (651) 266-8574

October 13, 2023

BPH 1 LLC/Ideal Property Investments
323 N Washington Ave 200
Minneapolis MN 55401-1314

BPH 1 LLC
PO Box 127
Levittown NY 11756-0127

VIA MAIL

VIA MAIL

Wilmington Trust, NA,
B2R Mortgage Trust 2015-2
1100 N Market St
Wilmington DE 19890

Shai Leibovich
BPH 3 LLC
55 – 39th St W, Rm 806
New York NY 10018-0548

VIA MAIL

VIA EMAIL: shai@rbkcapital.com
Leibovich.shai@gmail.com

Jack Pierce
Bernick Lifson
600 Hwy 169 S.
Minneapolis, MN 55423

Brice Michka
Bernick Lifson
600 Hwy 169 S.
Minneapolis, MN 55423

VIA EMAIL: jpierce@bernicklifson.com

VIA EMAIL: bmichka@bernicklifson.com

Re: Remove or Repair of the Structure at 1726 FOURTH STREET EAST

Dear Interested Parties:

This is to confirm that at the Council Public Hearing on November 8, 2023 Legislative Hearing Officer Marcia Moermond will ask that the City Council **refer the matter back to Legislative Hearing on Tuesday, November 28, 2023 if the \$5,000 Performance Deposit is posted and Code Compliance Inspection applied for no later than Friday, October 28, 2023.**

The performance deposit and Code Compliance Inspection forms can be found online here: <https://www.stpaul.gov/departments/safety-inspections/vacant-buildings>. Please contact the Department of Safety and Inspections directly at 651-266-8989 for questions regarding the application or payment process.

The code compliance application must include lock box code and box must be attached to door for use; it isn't sufficient to apply without ability for staff to conduct the inspections.



This matter will go before the City Council at Public Hearing on **Wednesday, November 8, 2023 at 3:30 pm. in room 300 City Hall.** If you are contesting Ms. Moermond's recommendation, or do not have the above items completed by deadline, you may:

1. appear in person (please arrive before 3:30 p.m. and check in with staff outside Council chambers); or
2. **Should you wish to address Council directly but not appear in person, you must register in person by noon on Tuesday, November 7 2023 here to testify via phone:**
<https://www.stpaul.gov/departments/city-council/city-council-public-hearing-live-testimony>.

If you don't wish to contest then no further action is needed and the Council will proceed with Ms. Moermond's recommendation above.

For your reference, the following items must (eventually) be completed before receiving a grant of time from the City Council to rehabilitate the property:

1. If you are intending to have a third party rehabilitate the property, pending transfer of title, the contract used for this transaction will need to be approved by the Legislative Hearing Officer. **Please note that title cannot transfer until the rehabilitation is complete and nuisance abated (samples included);**
2. **submit evidence of financing sufficient to complete the rehabilitation.** Staff estimates costs to exceed \$100,000. If total for bids are more than 20% less than staff estimate, a high level of detail will be required. Financing could be business or personal accounts, a line of credit, or construction loan. Other types of financing will be reviewed on a case by case basis;
3. **submit an affidavit indicating the finances will be dedicated to completing the project** and not diverted until a code compliance certificate is issued;
4. **submit work plan, sworn construction statement, or scope of work.** This should include **signed** subcontractor bids and a **schedule** for completion of the project; and
5. **the property must be maintained.**

If you have any questions, please contact me at 651-266-8585.

Sincerely,

/s/

Joanna Zimny
Legislative Hearing Executive Assistant

Encl: sample transfer documents

c: Rehabilitation & Removal staff
Carolyn Brown via email: csp501dale@gmail.com